

4months,APPEAL,CLASS,PROTO,SUBMDJ

**U.S. District Court**  
**Northern District of Georgia (Atlanta)**  
**CIVIL DOCKET FOR CASE #: 1:17-md-02800-TWT**

IN RE: EQUIFAX, INC., Customer Data Security Breach  
Litigation  
Assigned to: Judge Thomas W. Thrash, Jr.  
Member cases:

Date Filed: 12/06/2017  
Jury Demand: Plaintiff  
Nature of Suit: 190 Contract: Other  
Jurisdiction: Diversity

1:17-cv-03422-TWT  
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Case in other court: USCA – 11th Circuit., 20–10249–RR

USCA – 11th Circuit., 20–10249–RR

USCA – 11th Circuit., 20–10249–RR

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USCA – 11th Circuit., 20–10249–RR

Eleventh Circuit, 20–10249–RR

USCA – 11th Circuit., 20–10249–RR

Cause: 28:1332 Diversity–Breach of Fiduciary Duty

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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*individually and on behalf of all others*  
*similarly situated*

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**Plaintiff**

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**Plaintiff**

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*similarly situated credit unions*  
*TERMINATED: 01/28/2019*

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*TERMINATED: 06/06/2018*

**Plaintiff**

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*as an association on behalf of its*  
*members*  
*TERMINATED: 01/28/2019*

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*TERMINATED: 06/06/2018*

**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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*TERMINATED: 01/28/2019*

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

**Kent Toft**  
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*similarly situated*

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**Plaintiff**

**Gulf Winds Federal Credit Union**  
*on behalf of itself and all others similarly  
situated*

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**Plaintiff**

**Independent Community Bankers of  
America**  
*as an association on behalf of its  
members*  
*TERMINATED: 01/28/2019*

represented by **Thomas A. Withers**  
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**Plaintiff**

**The First State Bank**  
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**Plaintiff**

**Bank of Zachary**  
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*all similarly situated financial*  
*institutions*  
*TERMINATED: 01/28/2019*

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**Plaintiff**

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*TERMINATED: 01/28/2019*

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**Plaintiff**

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**Plaintiff**

**Mario Vice**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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*TERMINATED: 04/16/2018*  
*PRO HAC VICE*

**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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*TERMINATED: 04/16/2018*

**Stuart A. Davidson**  
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*TERMINATED: 04/16/2018*  
*PRO HAC VICE*

**Plaintiff**

**Tanya Palmer**  
*individually and on behalf of all others*  
*similarly situated*

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*TERMINATED: 04/16/2018*

**Paul J. Gellar**

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*TERMINATED: 04/16/2018*

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**Plaintiff**

**Bank of Louisiana**

*TERMINATED: 01/28/2019*

represented by **Anthony C. Lake**

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**Plaintiff**

**Aventa Credit Union**

*TERMINATED: 01/28/2019*

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**Plaintiff**

**First Choice Federal Credit Union**  
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*similarly situated financial institutions*  
*TERMINATED: 01/28/2019*

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

**Anna Rice–Wright**

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**Plaintiff**

**James R. Wright**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

**Phillip Williams**  
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**Plaintiff**

**Jon M. Lewis**  
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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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*TERMINATED: 05/11/2018*

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*TERMINATED: 05/11/2018*

**Laura Ray**

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*TERMINATED: 05/11/2018*

**Mathew Jasinski**  
(See above for address)  
*TERMINATED: 05/11/2018*

**Plaintiff**

**Karen Bergquist**  
*individually and on behalf of all others*  
*similarly situated*  
*TERMINATED: 05/01/2018*

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*TERMINATED: 05/11/2018*

**Mathew Jasinski**  
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*TERMINATED: 05/11/2018*

**Plaintiff**

**Kademi, LLC**  
*a Mississippi limited liability company*

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**Samuel Tillman Brannan**  
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**Plaintiff**

**Superior Services Investment Group, LLC**  
*a Georgia limited liability company*

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**Plaintiff**

**Forest Express Properties, LLC**  
*a Georgia limited liability company*

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**Plaintiff**

**Jus Rev, LLC**  
*a Georgia limited liability company*

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**Plaintiff**

**Pierce N Tell of Sarasota, LLC**  
*a Florida limited liability company*

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**Plaintiff**

**Martin's Auto Repair**  
*a Georgia partnership*

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**Plaintiff**

**Mojo Mama's LLC**  
*a Missouri limited liability company*

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**Plaintiff**

**Young's Distributing Co., Inc.**  
*a Missouri corporation*

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**Plaintiff**

**Coastal Communications, LLC**  
*a Texas limited liability company*  
*TERMINATED: 09/11/2018*

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**Plaintiff**

**The Mello Group, Inc.**  
*a Delaware corporation*  
*TERMINATED: 09/11/2018*

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**Plaintiff**

**Dawn Lea Chalmers**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

represented by

**Army Aviation Center Federal Credit  
Union**

*TERMINATED: 01/28/2019*

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**Plaintiff**

**Greater Cincinnati Credit Union**

*individually and on behalf of a class of  
all similarly situated financial  
institutions*

*TERMINATED: 01/28/2019*

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**Plaintiff**

**Credit Union National Association**  
*as an association on behalf of its*  
*members*  
*TERMINATED: 01/28/2019*

represented by **Anthony C. Lake**  
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**Plaintiff**

**First Castle Federal Credit Union**  
*on behalf of itself and all others similarly  
situated*

represented by **Chris T. Hellums**  
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**Plaintiff**

**Consumers Cooperative Credit Union**  
*TERMINATED: 01/28/2019*

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**Plaintiff**

**Embark Credit Union**  
*TERMINATED: 01/28/2019*

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**Plaintiff**

**Numark Credit Union**

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**Plaintiff**

**Ravalli County Federal Credit Union**  
*individually and on behalf of a class of*  
*all similarly situated financial*  
*institutions*

represented by **Anthony C. Lake**  
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**Plaintiff**

**Association of Vermont Credit Unions,  
Inc.**  
*TERMINATED: 01/28/2019*

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**Plaintiff**

**California Credit Union League**  
*TERMINATED: 01/28/2019*

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**Plaintiff**

**Carolinas Credit Union League**

*TERMINATED: 01/28/2019*

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**Plaintiff**

**Indiana Credit Union League**  
*TERMINATED: 01/28/2019*

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**Plaintiff**

**League of Southeastern Credit Unions  
& Affiliates**  
*TERMINATED: 01/28/2019*

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**Plaintiff**

**Mississippi Credit Union League**  
*TERMINATED: 01/28/2019*  
*doing business as*  
**Mississippi Credit Union Association**  
*TERMINATED: 01/28/2019*

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**Plaintiff**

**Montana Credit Union League**  
*TERMINATED: 01/28/2019*

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**Plaintiff**

**Mountain West Credit Union  
Association**  
*TERMINATED: 01/28/2019*

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**Plaintiff**

**Nevada Credit Union League**

*TERMINATED: 01/28/2019*

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**Plaintiff**

**Pennsylvania Credit Union Association**

*each as an association on behalf of its  
members*

*TERMINATED: 01/28/2019*

represented by **Anthony C. Lake**

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**Gary F. Lynch**

(See above for address)

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*ATTORNEY TO BE NOTICED*

**Jamisen Etzel**

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**Joseph P. Guglielmo**

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**Stephen B. Murray , Sr.**

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**Thomas A. Withers**  
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**Craig A. Gillen**  
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*ATTORNEY TO BE NOTICED*

**Michael J. Laird**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Dori M. Mashburn**  
*Individually And On Behalf Of All Others*  
*Similarly Situated*  
*TERMINATED: 05/01/2018*

represented by **Cari C. Laufenberg**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Gretchen Freeman Cappio**  
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*ATTORNEY TO BE NOTICED*

**Joseph F. Rice**  
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**Matthew J. Preusch**  
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**Breanne Vandemeer Cope**  
(See above for address)  
*TERMINATED: 05/11/2018*

**Jodi Westbrook Flowers**

(See above for address)  
*TERMINATED: 05/11/2018*  
*PRO HAC VICE*

**John C. Herman**  
(See above for address)  
*TERMINATED: 04/16/2018*

**Kevin R. Dean**  
(See above for address)  
*TERMINATED: 05/11/2018*

**Laura Ray**  
(See above for address)  
*TERMINATED: 05/11/2018*

**Mathew Jasinski**  
(See above for address)  
*TERMINATED: 05/11/2018*

**Plaintiff**

**Sarah L. Hardy**  
*Individually And On Behalf Of All Others*  
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*TERMINATED: 05/01/2018*

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**Breanne Vandemeer Cope**  
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*TERMINATED: 05/11/2018*

**Jodi Westbrook Flowers**  
(See above for address)  
*TERMINATED: 05/11/2018*  
*PRO HAC VICE*

**Kevin R. Dean**  
(See above for address)  
*TERMINATED: 05/11/2018*

**Laura Ray**  
(See above for address)  
*TERMINATED: 05/11/2018*

**Mathew Jasinski**  
(See above for address)  
*TERMINATED: 05/11/2018*

**Plaintiff**

**Richard Gainey**  
*Individually And On Behalf Of All Others*  
*Similarly Situated*  
*TERMINATED: 05/01/2018*

represented by **Cari C. Laufenberg**  
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*TERMINATED: 05/11/2018*

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*TERMINATED: 05/11/2018*  
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*TERMINATED: 05/11/2018*

**Laura Ray**  
(See above for address)  
*TERMINATED: 05/11/2018*

**Mathew Jasinski**  
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*TERMINATED: 05/11/2018*

**Plaintiff**

**Valerie Gainey**  
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*TERMINATED: 05/01/2018*

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**Breanne Vandemeer Cope**  
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*TERMINATED: 05/11/2018*

**Jodi Westbrook Flowers**  
(See above for address)  
*TERMINATED: 05/11/2018*

*PRO HAC VICE*

**Kevin R. Dean**

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*TERMINATED: 05/11/2018*

**Laura Ray**

(See above for address)

*TERMINATED: 05/11/2018*

**Mathew Jasinski**

(See above for address)

*TERMINATED: 05/11/2018*

**Plaintiff**

**Johnathan C. Entsminger**

*Individually And On Behalf Of All Others*

*Similarly Situated*

*TERMINATED: 05/01/2018*

represented by **Cari C. Laufenberg**

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**Breanne Vandemeer Cope**

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**Jodi Westbrook Flowers**

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**Laura Ray**

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*TERMINATED: 05/11/2018*

**Mathew Jasinski**

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*TERMINATED: 05/11/2018*

**Plaintiff**

**Carrie L. Entsminger**

*Individually And On Behalf Of All Others*

*Similarly Situated*

*TERMINATED: 05/01/2018*

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**Laura Ray**

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*TERMINATED: 05/11/2018*

**Mathew Jasinski**

(See above for address)

*TERMINATED: 05/11/2018*

**Plaintiff**

**Jackie L. Kier**

*Individually And On Behalf Of All Others  
Similarly Situated*

*TERMINATED: 05/01/2018*

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**Breanne Vandemeer Cope**

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*TERMINATED: 05/11/2018*

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**Kevin R. Dean**

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*TERMINATED: 05/11/2018*



**Laura Ray**  
(See above for address)  
*TERMINATED: 05/11/2018*

**Mathew Jasinski**  
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*TERMINATED: 05/11/2018*

**Plaintiff**

**Aloha Kier**  
*Individually And On Behalf Of All Others*  
*Similarly Situated*  
*TERMINATED: 05/01/2018*

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**Laura Ray**  
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*TERMINATED: 05/11/2018*

**Mathew Jasinski**

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*TERMINATED: 05/11/2018*

**Plaintiff**

**Larry Newcomer**

*Individually And On Behalf Of All Others*

*Similarly Situated*

*TERMINATED: 05/01/2018*

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**Breanne Vandemeer Cope**

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*TERMINATED: 05/11/2018*

**Jodi Westbrook Flowers**

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*TERMINATED: 05/11/2018*

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*TERMINATED: 05/11/2018*

**Mathew Jasinski**  
(See above for address)  
*TERMINATED: 05/11/2018*

**Plaintiff**

**Andrea Shafran**  
*Individually And On Behalf Of All Others*  
*Similarly Situated*  
*TERMINATED: 05/01/2018*

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**Breanne Vandemeer Cope**  
(See above for address)  
*TERMINATED: 05/11/2018*

**Jodi Westbrook Flowers**  
(See above for address)  
*TERMINATED: 05/11/2018*  
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**Kevin R. Dean**  
(See above for address)  
*TERMINATED: 05/11/2018*

**Laura Ray**  
(See above for address)  
*TERMINATED: 05/11/2018*

**Mathew Jasinski**  
(See above for address)

*TERMINATED: 05/11/2018*

**Plaintiff**

**First Education Federal Credit Union**

represented by **Anthony C. Lake**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Arthur M. Murray**  
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*ATTORNEY TO BE NOTICED*

**Brian C. Gudmundson**  
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**Bryan L. Bleichner**  
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**Michael J. Laird**  
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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**ASI Federal Credit Union**  
*individually and on behalf of a class of*  
*all similarly situated financial*  
*institutions*  
*TERMINATED: 01/28/2019*

represented by **Anthony C. Lake**  
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*LEAD ATTORNEY*  
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**Carol Thomas**

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**Charles Hale Van Horn**

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*ATTORNEY TO BE NOTICED*

**Michael J. Laird**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Michigan Credit Union League**  
*as an association on behalf of its*  
*members*  
*TERMINATED: 01/28/2019*

represented by **Anthony C. Lake**  
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*LEAD ATTORNEY*  
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**Arthur M. Murray**  
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**Craig A. Gillen**

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**Michael J. Laird**

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**Plaintiff**

**Gerber Federal Credit Union**

*TERMINATED: 01/28/2019*

represented by **Anthony C. Lake**

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*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Arthur M. Murray**

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**Brian C. Gudmundson**  
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**Craig A. Gillen**

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**Michael J. Laird**

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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Oteen VA Federal Credit Union**

*TERMINATED: 01/28/2019*

represented by **Anthony C. Lake**

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*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Arthur M. Murray**

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**Brian C. Gudmundson**

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**Plaintiff**

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*individually and on behalf of a class of  
all similarly situated financial  
institutions*  
*TERMINATED: 01/28/2019*

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**Plaintiff**

**Illinois Credit Union League**  
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**Plaintiff**

**Minnesota Credit Union Network**  
*TERMINATED: 01/28/2019*

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**Plaintiff**

**Nebraska Credit Union League**  
*TERMINATED: 01/28/2019*

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**Plaintiff**

**New York Credit Union Association**  
*TERMINATED: 01/28/2019*

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**Plaintiff**

**Ohio Credit Union League**  
*TERMINATED: 01/28/2019*

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**Plaintiff**

**Virginia Credit Union League**  
*each as an association on behalf of its*  
*members*  
*TERMINATED: 01/28/2019*

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*TERMINATED: 06/13/2019*

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*TERMINATED: 06/13/2019*

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

**Heritage Federal Credit Union**  
*TERMINATED: 01/28/2019*

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**Plaintiff**

**John Huey**  
*and all others similarly situated*

represented by **Leon R. Storie**  
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**Steven P. Gregory**  
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**Plaintiff**

**ICUL Service Corporation**  
*TERMINATED: 01/28/2019*  
*doing business as*  
LSC  
*TERMINATED: 01/28/2019*

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**Plaintiff**

**Brenda King**

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**Plaintiff**

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*similarly situated*

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

**Laura Sander**

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**Plaintiff**

**Services Credit Union**  
*TERMINATED: 01/28/2019*

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**Charles Hale Van Horn**

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**Michael J. Laird**

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**Plaintiff**

**UMassFive College Federal Credit  
Union**

*individually and on behalf of a class of  
all similarly situated financial  
institutions*

*TERMINATED: 01/28/2019*

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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*on behalf of herself and all others*  
*similarly situated*

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**Plaintiff**

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**Plaintiff**

**Tyler Stanfield**

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**Timothy Hoerman**  
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**Plaintiff**

**Washington Gas Light Federal Credit  
Union**  
*TERMINATED: 01/28/2019*

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*TERMINATED: 06/06/2018*

**Plaintiff**

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**Plaintiff**

**Terry Mead**

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**Plaintiff**

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**Plaintiff**

**Adi Amuial**

represented by **Avi Robert Kaufman**  
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**Plaintiff**

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*similarly situated*

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**Rosemary M. Rivas**  
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**Plaintiff**

**LA' Sohn Smith**  
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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

**Daniel Martin**

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**Plaintiff**

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**Plaintiff**

**John Kennedy Bailey**

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**Plaintiff**

represented by



**Andrew Crow**

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TERMINATED: 05/01/2018*

**Jodi Westbrook Flowers**

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**Plaintiff**

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TERMINATED: 05/01/2018*

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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*TERMINATED: 11/28/2018*

**Plaintiff**

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**Plaintiff**

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*TERMINATED: 04/23/2018*  
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*TERMINATED: 05/08/2018*

**Plaintiff**

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*TERMINATED: 04/24/2018*

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*TERMINATED: 04/23/2018*  
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**John C. Herman**  
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*TERMINATED: 04/16/2018*

**Plaintiff**

**Yorkman Lowe**  
*TERMINATED: 04/24/2018*

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*TERMINATED: 04/23/2018*  
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**Nicholas Diamand**  
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*TERMINATED: 04/23/2018*  
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**Plaintiff**

**Timothy Mack**  
*TERMINATED: 04/24/2018*

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*TERMINATED: 04/23/2018*  
*LEAD ATTORNEY*

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*TERMINATED: 04/23/2018*  
*LEAD ATTORNEY*

**Plaintiff**

**Michael Nehring**

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similarly situated*

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*TERMINATED: 11/28/2018*

**Plaintiff**

**York Taenzer**

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*TERMINATED: 11/28/2018*

**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

**Megan Staker**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Christopher Justin Broome**  
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**Plaintiff**

**ROBERT PACELLI**

*INDIVIDUALLY AND ON BEHALF OF*  
*ALL OTHERS SIMILARLY SITUATED*

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

**Summer Nicole Starbuck**  
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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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*TERMINATED: 09/06/2018*

**Plaintiff**

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*TERMINATED: 09/06/2018*

**Plaintiff**

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*TERMINATED: 09/06/2018*

**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

**Cheyra Acklin–Davis**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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*TERMINATED: 04/02/2018*

**Plaintiff**

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**Plaintiff**

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**Sarah L. Rickard**  
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*TERMINATED: 04/02/2018*

**Plaintiff**

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*TERMINATED: 04/02/2018*

**Plaintiff**

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**Plaintiff**

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*TERMINATED: 04/02/2018*

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*TERMINATED: 04/02/2018*

**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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*TERMINATED: 11/28/2018*

**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

**MICHELLE O'NEILL**  
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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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*TERMINATED: 01/28/2019*

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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**Plaintiff**

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*TERMINATED: 01/28/2019*

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**Plaintiff**

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**Carol Thomas**  
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*ATTORNEY TO BE NOTICED*

**Michael J. Laird**  
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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Jonah Bank of Wyoming**  
*individually and on behalf of a class of*  
*all similarly situated financial*  
*institutions*  
*TERMINATED: 01/28/2019*

represented by **Anthony C. Lake**  
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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Seven Seventeen Credit Union**  
*individually and on behalf of a class of*  
*all similarly situated financial*  
*institutions*  
*TERMINATED: 01/28/2019*

represented by **Anthony C. Lake**  
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**Michael J. Laird**  
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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Michael Ribons**  
*Individually and on Behalf of all Others*  
*Similarly Situated*  
*TERMINATED: 05/22/2018*

represented by **Daniel Warshaw**  
(See above for address)  
*TERMINATED: 05/21/2018*

**Plaintiff**

**John Donnelly**  
*on behalf of himself and all others*  
*similarly situated*

represented by **Kevin Hunter Sharp**  
(See above for address)  
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*PRO HAC VICE*  
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**Plaintiff**

**David H Breen**

represented by **David Hart Breen**  
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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Mathew M Breen**

represented by **David Hart Breen**  
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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Pamela A Breen**

represented by **David Hart Breen**  
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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**D.L. Evans Bank**

*TERMINATED: 01/28/2019*

represented by **Erin Green Comite**  
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*ATTORNEY TO BE NOTICED*

**Michael J. Laird**  
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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Texas First Bank**

*individually and on behalf of a class of  
all similarly situated financial  
institutions*

*TERMINATED: 01/28/2019*

represented by **Erin Green Comite**  
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**Michael J. Laird**  
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**Plaintiff**

**Ellen Lamb**

represented by **Ted Trief**  
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**Plaintiff**

**Owen Lamb**

represented by **Ted Trief**  
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**Plaintiff**

**Jose Perez**

represented by **Ted Trief**  
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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Tenku Ruff**

represented by **Ted Trief**  
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**Plaintiff**

**George Wolff**

represented by **Ted Trief**  
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**Plaintiff**

**Mark Ashley**  
*individually and on behalf of all others*  
*similarly situated*

represented by **Guy Kamealoha Noa**  
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*TERMINATED: 04/22/2019*

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*TERMINATED: 04/22/2019*  
*PRO HAC VICE*

**Plaintiff**

**Chris Tosco**  
*individually and on behalf of all others  
similarly situated*

represented by **Guy Kamealoha Noa**  
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*TERMINATED: 04/22/2019*

**David Marc Buckner**  
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**Michael S. Olin**  
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*TERMINATED: 04/22/2019*  
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**Seth Miles**

(See above for address)

*TERMINATED: 04/22/2019*

*PRO HAC VICE*

**Plaintiff**

**Suncoast Credit Union**

*individually and on behalf of all other  
similarly situated financial institutions*

*TERMINATED: 01/28/2019*

represented by **Reginald L. Snyder**

Reginald Snyder, Esq.

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**Craig A. Gillen**

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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Patrick Tomas**

*on behalf of himself and all others  
similarly situated*

represented by **Kevin Hunter Sharp**

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*LEAD ATTORNEY*

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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Cooperative Credit Union Association,  
Inc.**

*TERMINATED: 01/28/2019*

represented by **Anthony C. Lake**

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**Michael J. Laird**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Heartland Credit Union Association**  
*each as an association on behalf of its*  
*members*  
*TERMINATED: 01/28/2019*

represented by **Anthony C. Lake**  
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**Plaintiff**

**South Florida Federal Credit Union**

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**Plaintiff**

**SeaComm Federal Credit Union**  
*TERMINATED: 01/28/2019*

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**Michael J. Laird**  
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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**The Summit Federal Credit Union**  
*individually and on behalf of a class of*  
*all similarly situated financial*  
*institutions*  
*TERMINATED: 01/28/2019*

represented by **Anthony C. Lake**  
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**Plaintiff**

**Shawnette Carter**

represented by **Danielle Anne Fuschetti**

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**Edward Dewey Chapin**  
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**Kevin Hunter Sharp**  
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**Plaintiff**

**Aleida Ruiz**  
*on behalf of themselves and all others*  
*similarly situated*

represented by **Danielle Anne Fuschetti**  
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**Plaintiff**

**John A. DiMichele**

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**Plaintiff**

**William M. Eames**

represented by **William H. Parish**  
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**Plaintiff**

**Jonathan Ramirez**

represented by **Stanley Ellenberg**  
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*LEAD ATTORNEY*  
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**Plaintiff**

**John L. Cunniff**  
*on behalf of himself and all others*  
*similarly situated*

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*TERMINATED: 01/28/2019*

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**Plaintiff**

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*TERMINATED: 01/28/2019*

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**Plaintiff**

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**Plaintiff**

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*individually and on behalf of its Members  
and as Class Representative for similarly  
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**Plaintiff**

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*all other persons similarly situated*

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**Plaintiff**

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**Defendant**

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(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Defendant**

**Equifax Consumer Services, LLC**

*also known as*

Equifax Personal Solutions

*also known as*

PSOL

represented by **Adam Cooke**

(See above for address)

*ATTORNEY TO BE NOTICED*

**David Lewis Balser**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Edith Ramirez**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Michelle Anne Kisloff , I**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Sidney Stewart Haskins , II**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**Charles Stimac, Jr.**

represented by **Brian D. Flick**

(See above for address)

*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**David H. Krieger**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**George Haines**  
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**Marc Edward Dann**  
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**Miles N Clark**  
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**Robert A. Clifford**  
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**Sean N. Payne**  
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**Shannon McNulty**  
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**Thomas A. Zimmerman , Jr.**  
(See above for address)  
*TERMINATED: 10/25/2018*

**Defendant**

**Equifax Credit Information Services,  
Inc.**

represented by **Benjamin C. Jensen**  
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**Defendant**

**Equifax Health Services**

represented by **Benjamin C. Jensen**  
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**Defendant**

**Michael Kemp**  
*Individually and on behalf of All Others*  
*Similarly Situated*

represented by **Jason L. Nabors**  
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**Shane Fredrick Langston**  
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**Christopher Justin Broome**  
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**Greta L. Kemp**  
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**Defendant**

**Cliff Barbier**  
*an individual*

represented by **Joseph Richard Wetzel**  
King & Spalding, LLP– SF CA  
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**Defendant**

**Harold Boutin**  
*an individual*

represented by **Joseph Richard Wetzel**  
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**Defendant**

**Robert Friedrich**  
*an individual*

represented by **Joseph Richard Wetzel**  
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**Defendant**

**Shea Giesler**  
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**Defendant**

**Mary Hannan**  
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**Defendant**

**Vidya Sagar Jagadam**  
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**Defendant**

**Susan Mauldin**  
*an individual*

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*TERMINATED: 11/06/2018*

**Defendant**

**Graeme Payne**  
*an individual*

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*TERMINATED: 11/06/2018*

**Defendant**

**Lara Pearson**  
*an individual*

represented by **Joseph Richard Wetzel**  
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**Defendant**

**Joe Sanders**  
*an individual*

represented by **Aaron M. Danzig**  
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**Edward Alexander Marshall**  
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**Joseph Richard Wetzel**  
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*TERMINATED: 11/06/2018*

**Defendant**

**Richard F. Smith**  
*an individual*

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*TERMINATED: 03/30/2018*

**Claimant**

**Mike Barry**

**Claimant**

**Kimberly J. Kohler**

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**State of Indiana as Amicus Curiae**

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**Movant**

**Elizabeth M. Simons**

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**Gregory A. Simons**

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**Movant**

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**Movant**

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**Movant**

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**Movant**

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**Movant**

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**Objector**

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**Objector**

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**Objector**

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**Objector**

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**Objector**

**Christopher Andrews**

**Objector**

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**Objector**

**Alice-Marie Flowers**

Date Filed	#	Page	Docket Text
12/06/2017	<u>1</u>		TRANSFER ORDER from the Judicial Panel on Multidistrict Litigation pursuant to 28 U.S.C. § 1407 that the actions listed on Schedule A are transferred to the Northern District of Georgia, Atlanta Division, MDL No. 2800. (aaq) (Entered: 12/06/2017)
12/07/2017	<u>2</u>		COMPLAINT with Jury Demand filed in 1:17-cv-03422-TWT by Brian F. Spector and James McGonnigal.(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/07/2017)

12/07/2017	<u>3</u>		COMPLAINT with Jury Demand filed in 1:17-cv-03433-TWT by Randolph Jefferson Cary, III, Robin D. Porter and William R. Porter.(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/07/2017)
12/07/2017	<u>4</u>		COMPLAINT with Jury Demand filed in 1:17-cv-03436-TWT by Joseph M. Kuss.(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/07/2017)
12/07/2017	<u>5</u>		COMPLAINT with Jury Demand filed in 1:17-cv-03443-TWT by Victoria Kealy, Donna Abbott and Devenn Triola.(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/07/2017)
12/07/2017	<u>6</u>		COMPLAINT with Jury Demand filed in 1:17-cv-03444-TWT by Albert Ruscitto.(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/07/2017)
12/07/2017	<u>7</u>		COMPLAINT with Jury Demand filed in 1:17-cv-03445-TWT by Jennifer Pascucci DeMarco, Alain Lapter, Ana Lapter, Pamela Klein, Daniel DeMarco, Jr, Michael Slyne, Stacey J. P. Ullman.(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/07/2017)
12/07/2017	<u>8</u>		COMPLAINT with Jury Demand filed in 1:17-cv-03447-TWT by Alison Manaher.(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/07/2017)
12/07/2017	<u>9</u>		COMPLAINT with Jury Demand filed in 1:17-cv-3448-TWT by Nida Samson.(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/07/2017)
12/07/2017	<u>10</u>		COMPLAINT with Jury Demand filed in 1:17-cv-03450-TWT by Michael Wolf.(adg) Please visit



			our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/07/2017)
12/07/2017	<u>11</u>		COMPLAINT with Jury Demand filed in 1:17-cv-03451 by James Findlay, Avery Ash, John Washburn, Evelyn Gualandi, AmySue Taylor, Cassandra Powers.(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/07/2017)
12/07/2017	<u>12</u>		COMPLAINT with Jury Demand filed in 1:17-cv-03456-TWT by Justin Fiore.(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/07/2017)
12/07/2017	<u>13</u>		COMPLAINT with Jury Demand filed in 1:17-cv-03457-TWT by Bryan Lipchitz.(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/07/2017)
12/07/2017	<u>14</u>		COMPLAINT with Jury Demand filed in 1:17-cv-03458-TWT by Brian Thompson James Martin.(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/07/2017)
12/07/2017	<u>15</u>		COMPLAINT with Jury Demand filed in 1:17-cv-03459-TWT by Allan Menzer.(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/07/2017)
12/07/2017	<u>16</u>		COMPLAINT with Jury Demand filed in 1:17-cv-03460-TWT by John J. Pagliarulo.(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/07/2017)
12/07/2017	<u>17</u>		COMPLAINT with Jury Demand filed in 1:17-cv-03461-TWT by Joseph Pugliese.(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/07/2017)

12/07/2017	<u>18</u>		COMPLAINT with Jury Demand filed in 1:17-cv-03476-TWT by Paul Turok, Charles Pavesi, Jr.(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/07/2017)
12/07/2017	<u>19</u>		COMPLAINT with Jury Demand filed in 1:17-cv-03480-TWT by Greg Pesek, Frederick Gardner, Matthew Rybak, Samuel Boundy.(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/07/2017)
12/07/2017	<u>20</u>		COMPLAINT with Jury Demand filed in 1:17-cv-03492-TWT by Bernadette Beekman, Douglas Diamond, James Freeman-Hargis, Elizabeth Twitchell.(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/07/2017)
12/07/2017	<u>21</u>		COMPLAINT with Jury Demand filed in 1:17-cv-4996-TWT by Angela Lynn Miller, Valorie Anne Smart, David Waterstram Miller.(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (USDC EDCA No. 2:17-cv-1872-KJM-EFB) (jkl). (Entered: 12/08/2017)
12/07/2017	<u>22</u>		COMPLAINT with Jury Demand filed in 1:17-cv-4997-TWT by Terry Myers, Sr, Charles O'Neal.(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (USDC EDCA No. 2:17-cv-1878-JAM-DB) (Entered: 12/08/2017)
12/07/2017	<u>26</u>		COMPLAINT with Jury Demand filed in 1:17-cv-04986-TWT by Nikolaos C Pantaze. (Alabama Northern, 2:17-cv-01530-UJB-MHH)(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/12/2017)
12/07/2017	<u>27</u>		COMPLAINT with Jury Demand filed in 1:17-cv-4994-TWT by Fort McClellan Credit Union. ( Filing fee \$ 400 receipt number 113E-75504067.) (Attachments: # <u>1</u> Civil Cover Sheet)(jkl) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to

			obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/12/2017)
12/07/2017	<u>29</u>		COMPLAINT with Jury Demand filed in 1:17-cv-04987-TWT by Paul Ostoya, Samuel Stephenson. (Alabama Northern, 2:17-cv-01550)(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/12/2017)
12/07/2017	<u>30</u>		COMPLAINT with Jury Demand filed in 1:17-cv-04988-TWT by Darryl W. Walker, Robin L. Taylor, Dale F. Stewart, II, Jennifer A. Meachum. (Alabama Northern, 5:17-cv-01527-HNJ)(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/12/2017)
12/07/2017	<u>31</u>		COMPLAINT with Jury Demand filed in 1:17-cv-04989-TWT by Christopher Highfield. (Alabama Northern, 5:17-cv-01567-MHH)(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/12/2017)
12/07/2017	<u>32</u>		COMPLAINT with Jury Demand filed in 1:17-cv-04990-TWT by Jason Morris. (USDC Colorado, 1:17-cv-02178-WJM-KHR)(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/12/2017)
12/07/2017	<u>33</u>		COMPLAINT with Jury Demand filed in 1:17-cv-05001-TWT filed by Sheena Raffin.USDC California Central, 2:17-cv-06620-JAK-KS)(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/12/2017)
12/07/2017	<u>34</u>		COMPLAINT with Jury Demand filed in 1:17-cv-05002-TWT by Samuel Bandoh-Aidoo. (USDC California Central, 2:17-cv-06658-JAK-KS)(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/12/2017)
12/07/2017	<u>35</u>		COMPLAINT with Jury Demand filed in 1:17-cv-05003-TWT by Henan Louis Joof, Akop Sogomonyan. (USDC California Central,

			2:17-cv-06659-JAK-KS)(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/12/2017)
12/07/2017	<u>41</u>		AMENDED COMPLAINT against Equifax, Inc. with Jury Demand filed in 1:17-cv-04988-TWT by Darryl W. Walker, Dale F. Stewart, II, Jennifer A. Meachum, Robin L. Taylor, Alexis Budinas Janusz, Jenny Storch, Karen Baswell. (USDC Alabama Northern, 5:17-CV-01527)(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/12/2017)
12/07/2017	<u>42</u>		COMPLAINT with Jury Demand filed in 1:17-cv-05004-TWT by Lori Pobiner, Caralyn Tada, Craig Nowinsky. (USDC California Central, 2:17-cv-06666)(adg) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/12/2017)
12/08/2017	<u>23</u>		<b>CASE MANAGEMENT ORDER NO. 1.</b> Initial case management conference set for 1/9/2018 at 10:00 AM in ATLA Courtroom 2108 before Judge Thomas W. Thrash Jr. Signed by Judge Thomas W. Thrash, Jr on 12/8/17. Associated Cases: 1:17-md-02800-TWT et al.(jkl) (Entered: 12/11/2017)
12/11/2017			Courtroom Deputy's Certificate of E-Mailing re <u>23</u> CASE MANAGEMENT ORDER NO. 1 to all counsel on the attached list. Associated Cases: 1:17-md-02800-TWT et al.(jkl) Modified on 12/11/2017 - pdf did not attach, refiled (jkl). (Entered: 12/11/2017)
12/11/2017			Courtroom Deputy's Certificate of E-Mailing re <u>23</u> CASE MANAGEMENT ORDER NO. 1 to all counsel on the attached list. Associated Cases: 1:17-md-02800-TWT et al (jkl) Modified on 12/11/2017 - pdf did not attach, refiled (jkl) (Entered: 12/11/2017)
12/11/2017	<u>24</u>		Courtroom Deputy's Certificate of E-Mailing re <u>23</u> CASE MANAGEMENT ORDER NO. 1 to all counsel on the attached list. Associated Cases: 1:17-md-02800-TWT et al. (jkl) (Entered: 12/11/2017)
12/11/2017	<u>25</u>		(Refiled to link to member cases) Courtroom Deputy's Certificate of E-Mailing re <u>23</u> CASE MANAGEMENT ORDER NO. 1 to all counsel on the attached list. Associated Cases: 1:17-md-02800-TWT et al (jkl) Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03422-TWT, 1:17-cv-03433-TWT, 1:17-cv-03436-TWT, 1:17-cv-03443-TWT, 1:17-cv-03444-TWT,

1:17-cv-03445-TWT, 1:17-cv-03447-TWT,  
1:17-cv-03448-TWT, 1:17-cv-03449-TWT,  
1:17-cv-03450-TWT, 1:17-cv-03451-TWT,  
1:17-cv-03452-TWT, 1:17-cv-03453-TWT,  
1:17-cv-03454-TWT, 1:17-cv-03456-TWT,  
1:17-cv-03457-TWT, 1:17-cv-03458-TWT,  
1:17-cv-03459-TWT, 1:17-cv-03460-TWT,  
1:17-cv-03461-TWT, 1:17-cv-03463-TWT,  
1:17-cv-03476-TWT, 1:17-cv-03477-TWT,  
1:17-cv-03479-TWT, 1:17-cv-03480-TWT,  
1:17-cv-03482-TWT, 1:17-cv-03483-TWT,  
1:17-cv-03484-TWT, 1:17-cv-03487-TWT,  
1:17-cv-03492-TWT, 1:17-cv-03497-TWT,  
1:17-cv-03498-TWT, 1:17-cv-03499-TWT,  
1:17-cv-03501-TWT, 1:17-cv-03502-TWT,  
1:17-cv-03507-TWT, 1:17-cv-03509-TWT,  
1:17-cv-03512-TWT, 1:17-cv-03523-TWT,  
1:17-cv-03571-TWT, 1:17-cv-03578-TWT,  
1:17-cv-03582-TWT, 1:17-cv-03586-TWT,  
1:17-cv-03587-TWT, 1:17-cv-03613-TWT,  
1:17-cv-03618-TWT, 1:17-cv-03659-TWT,  
1:17-cv-03676-TWT, 1:17-cv-03708-TWT,  
1:17-cv-03713-TWT, 1:17-cv-03715-TWT,  
1:17-cv-03745-TWT, 1:17-cv-03764-TWT,  
1:17-cv-03765-TWT, 1:17-cv-03769-TWT,  
1:17-cv-03798-TWT, 1:17-cv-03809-TWT,  
1:17-cv-03829-TWT, 1:17-cv-03863-TWT,  
1:17-cv-03872-TWT, 1:17-cv-03873-TWT,  
1:17-cv-03881-TWT, 1:17-cv-03885-TWT,  
1:17-cv-03886-TWT, 1:17-cv-03892-TWT,  
1:17-cv-03905-TWT, 1:17-cv-03972-TWT,  
1:17-cv-04159-TWT, 1:17-cv-04184-TWT,  
1:17-cv-04250-TWT, 1:17-cv-04388-TWT,  
1:17-cv-04389-TWT, 1:17-cv-04480-TWT,  
1:17-cv-04544-TWT, 1:17-cv-04600-TWT,  
1:17-cv-04694-TWT, 1:17-cv-04707-TWT,  
1:17-cv-04756-TWT, 1:17-cv-04763-TWT,  
1:17-cv-04775-TWT, 1:17-cv-04792-TWT,  
1:17-cv-04822-TWT, 1:17-cv-04940-TWT,  
1:17-cv-04942-TWT, 1:17-cv-04986-TWT,  
1:17-cv-04987-TWT, 1:17-cv-04988-TWT,  
1:17-cv-04989-TWT, 1:17-cv-04990-TWT,  
1:17-cv-04996-TWT, 1:17-cv-04997-TWT,  
1:17-cv-05001-TWT, 1:17-cv-05002-TWT,  
1:17-cv-05003-TWT, 1:17-cv-05004-TWT,  
1:17-cv-05005-TWT, 1:17-cv-05006-TWT,  
1:17-cv-05007-TWT, 1:17-cv-05008-TWT,  
1:17-cv-05009-TWT, 1:17-cv-05010-TWT,  
1:17-cv-05014-TWT, 1:17-cv-05015-TWT,  
1:17-cv-05016-TWT, 1:17-cv-05017-TWT,  
1:17-cv-05020-TWT, 1:17-cv-05021-TWT,  
1:17-cv-05022-TWT, 1:17-cv-05023-TWT,

			1:17-cv-05024-TWT, 1:17-cv-05025-TWT, 1:17-cv-05026-TWT, 1:17-cv-05027-TWT, 1:17-cv-05028-TWT, 1:17-cv-05029-TWT, 1:17-cv-05037-TWT, 1:17-cv-05038-TWT, 1:17-cv-05039-TWT, 1:17-cv-05040-TWT, 1:17-cv-05041-TWT, 1:17-cv-05042-TWT, 1:17-cv-05048-TWT, 1:17-cv-05049-TWT, 1:17-cv-05050-TWT, 1:17-cv-05058-TWT, 1:17-cv-05059-TWT, 1:17-cv-05060-TWT, 1:17-cv-05061-TWT, 1:17-cv-05062-TWT, 1:17-cv-05063-TWT, 1:17-cv-05067-TWT, 1:17-cv-05068-TWT(jkl) (Entered: 12/11/2017)
12/11/2017	<u>28</u>		COMPLAINT with Jury Demand filed in 1:17-cv-05065-TWT by Elements Financial Federal Credit Union, Atlantic City Federal Credit Union, First Nebraska Credit Union, Wright-Patt Credit Union, Putnam Bank. ( Filing fee \$ 400 receipt number 113E-7558285.) (Attachments: # <u>1</u> Civil Cover Sheet)(jkl) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/12/2017)
12/12/2017			Clerk's Certificate of Mailing of Case Management Order NO. 1 to attorneys: Benjamin Johns, Carin Marcussen, Carl Malmstrom, Christian Jenkins, Correy Kamin, Daniel Levin, Davis Cooper, J. Austin Moore, Jeffrey Goldenberg, Joseph Sauder, Joshua D. Wells, Leonard Davis, Pat Cipollone, Richard Lewis, Robert Gilmore, Steven Herman, Thomas Burt, Thomas O'Reardon. Associated Cases: 1:17-md-02800-TWT et al.(jkl) (Entered: 12/12/2017)
12/12/2017			Clerk's Certificate of Mailing to attorneys Bryan A. Fox and Carol Thomas re (23 in 1:17-md-02800-TWT, 23 in 1:17-md-02800-TWT, 23 in 1:17-md-02800-TWT) Order, (2 in 1:17-cv-05065-TWT) Order. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-05065-TWT(jkl) (Entered: 12/12/2017)
12/12/2017			(Corrected) Clerk's Certificate of Mailing as to Angela Lynn Miller, David Waterstram Miller, Valorie Anne Smart re (14 in 1:17-cv-04996-TWT, 23 in 1:17-md-02800-TWT) Order. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-04996-TWT(jkl) (Entered: 12/12/2017)
12/12/2017	<u>36</u>		COMPLAINT with Jury Demand filed by Chris Brown in 1:17-cv-03449-TWT on 09/08/2017. ( Filing fee \$ 400 receipt number 113E-7375221.)(jkl) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/12/2017)
12/12/2017	<u>37</u>		



			AMENDED COMPLAINT filed in 1:17-cv-03449 on 9/25/2017 against Equifax, Inc. and TRUSTEDID, INC. with Jury Demand by Chad Roofener, Tim Borland, Peter Cooke, Russ Benson, Margaret McCable, Val Chekmazov, Michael Jay Williams, Daniel E. Oberst, Richard Poligan, Jamie Benson, Michael Erickson, Walter Hinck, Patricia A. Koller, Kathleen Holly, Marius Andreica, James Peacock, Chris Brown, Derek Baumgardner, Emily Green, Elisabeta Szekely, Corree Roofener, Gary Jaetzold, Kellie Williams, Joshua Iron Wing.(jkl) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/12/2017)
12/12/2017	<u>38</u>		COMPLAINT with Jury Demand filed in 1:17-cv-03452-TWT on 09/08/2017 by Timothy Durham. ( Filing fee \$ 400 receipt number 113E-7375241.)(jkl) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/12/2017)
12/12/2017	<u>39</u>		COMPLAINT with Jury Demand filed by James Abraham in 1:17-cv-03453-TWT on 09/08/2017. ( Filing fee \$ 400 receipt number 113E-7375247.)(jkl) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/12/2017)
12/12/2017	<u>40</u>		COMPLAINT with Jury Demand filed by Judy Diane Brandon in 1:17-cv-03454-TWT on 09/08/2017. ( Filing fee \$ 400 receipt number 113E-7375249.)(jkl) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 12/12/2017)
12/15/2017	<u>43</u>		NOTICE of Appearance by Hovsep Hovsepyan on behalf of Henan Louis Joof, Akop Sogomonyan (Attachments: # <u>1</u> Certificate of Service)(Hovsepyan, Hovsep) (Entered: 12/15/2017)
12/15/2017	<u>44</u>		NOTICE of Appearance by Armen Kiramijyan on behalf of Henan Louis Joof, Akop Sogomonyan (Attachments: # <u>1</u> Certificate of Service)(Kiramijyan, Armen) (Entered: 12/15/2017)
12/15/2017	<u>45</u>		NOTICE of Appearance by Scott Edward Cole on behalf of Andrew Galpern (Cole, Scott) (Entered: 12/15/2017)
12/18/2017			Clerk's Certificate of Mailing of <u>23</u> CASE MANAGEMENT ORDER NO. 1 to plaintiffs' attorneys who have not yet added their e-mails to CM/ECF re (10 in 1:17-cv-03483-TWT, 10 in 1:17-cv-03483-TWT, 10 in

1:17-cv-03483-TWT, 14 in 1:17-cv-03498-TWT, 14 in  
 1:17-cv-03498-TWT, 14 in 1:17-cv-03498-TWT, 5 in  
 1:17-cv-03769-TWT, 5 in 1:17-cv-03769-TWT, 5 in  
 1:17-cv-03769-TWT, 13 in 1:17-cv-03501-TWT, 13 in  
 1:17-cv-03501-TWT, 13 in 1:17-cv-03501-TWT, 6 in  
 1:17-cv-04600-TWT, 6 in 1:17-cv-04600-TWT, 6 in  
 1:17-cv-04600-TWT, 16 in 1:17-cv-03571-TWT, 16 in  
 1:17-cv-03571-TWT, 16 in 1:17-cv-03571-TWT, 16 in  
 1:17-cv-03499-TWT, 16 in 1:17-cv-03499-TWT, 16 in  
 1:17-cv-03499-TWT, 5 in 1:17-cv-04707-TWT, 5 in  
 1:17-cv-04707-TWT, 5 in 1:17-cv-04707-TWT, 12 in  
 1:17-cv-03745-TWT, 12 in 1:17-cv-03745-TWT, 12 in  
 1:17-cv-03745-TWT, 14 in 1:17-cv-03587-TWT, 14 in  
 1:17-cv-03587-TWT, 14 in 1:17-cv-03587-TWT, 13 in  
 1:17-cv-03582-TWT, 13 in 1:17-cv-03582-TWT, 13 in  
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 1:17-cv-03863-TWT, 5 in 1:17-cv-03863-TWT, 5 in  
 1:17-cv-03863-TWT, 14 in 1:17-cv-04250-TWT, 14 in  
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 1:17-cv-04544-TWT, 5 in 1:17-cv-04544-TWT, 5 in  
 1:17-cv-04544-TWT, 10 in 1:17-cv-04763-TWT, 10 in  
 1:17-cv-04763-TWT, 10 in 1:17-cv-04763-TWT, 18 in  
 1:17-cv-03512-TWT, 18 in 1:17-cv-03512-TWT, 18 in  
 1:17-cv-03512-TWT, 8 in 1:17-cv-03586-TWT, 8 in  
 1:17-cv-03586-TWT, 8 in 1:17-cv-03586-TWT, 3 in  
 1:17-cv-04792-TWT, 3 in 1:17-cv-04792-TWT, 3 in  
 1:17-cv-04792-TWT, 4 in 1:17-cv-04389-TWT, 4 in  
 1:17-cv-04389-TWT, 4 in 1:17-cv-04389-TWT, 23 in  
 1:17-cv-03715-TWT, 23 in 1:17-cv-03715-TWT, 23 in  
 1:17-cv-03715-TWT, 8 in 1:17-cv-03765-TWT, 8 in  
 1:17-cv-03765-TWT, 8 in 1:17-cv-03765-TWT, 23 in  
 1:17-md-02800-TWT, 23 in 1:17-md-02800-TWT, 23 in  
 1:17-md-02800-TWT, 12 in 1:17-cv-03892-TWT, 12 in  
 1:17-cv-03892-TWT, 12 in 1:17-cv-03892-TWT, 17 in  
 1:17-cv-03479-TWT, 17 in 1:17-cv-03479-TWT, 17 in  
 1:17-cv-03479-TWT, 4 in 1:17-cv-03881-TWT, 4 in  
 1:17-cv-03881-TWT, 4 in 1:17-cv-03881-TWT, 6 in  
 1:17-cv-03872-TWT, 6 in 1:17-cv-03872-TWT, 6 in  
 1:17-cv-03872-TWT, 7 in 1:17-cv-03676-TWT, 7 in  
 1:17-cv-03676-TWT, 7 in 1:17-cv-03676-TWT, 3 in  
 1:17-cv-04159-TWT, 3 in 1:17-cv-04159-TWT, 3 in  
 1:17-cv-04159-TWT, 5 in 1:17-cv-03905-TWT, 5 in  
 1:17-cv-03905-TWT, 5 in 1:17-cv-03905-TWT, 3 in  
 1:17-cv-03809-TWT, 3 in 1:17-cv-03809-TWT, 3 in  
 1:17-cv-03809-TWT, 6 in 1:17-cv-03972-TWT, 6 in  
 1:17-cv-03972-TWT, 6 in 1:17-cv-03972-TWT, 3 in  
 1:17-cv-04940-TWT, 3 in 1:17-cv-04940-TWT, 3 in  
 1:17-cv-04940-TWT). Notice of street name change for the  
 Atlanta courthouse included. Associated Cases:  
 1:17-md-02800-TWT et al.(jkl) (Entered: 12/18/2017)



12/18/2017	<u>46</u>		<b>CONDITIONAL TRANSFER ORDER CTO-1 from the Judicial Panel on Multidistrict Litigation.</b> (jkl) (Entered: 12/18/2017)
12/18/2017	<u>47</u>		<b>ORDER VACATING <u>46</u> CONDITIONAL TRANSFER ORDER CTO-1 for cases 17-3358, 17-3359 (D. Maryland, C.A.) ONLY, by United States Judicial Panel on Multidistrict Litigation.</b> (jkl) (Entered: 12/18/2017)
12/21/2017	<u>48</u>		Clerk's Certificate of Emailing Case Management Order to attorneys for the following cases: re (10 in 1:17-cv-05102-TWT, 10 in 1:17-cv-05102-TWT) Order (18 in 1:17-cv-05101-TWT, 18 in 1:17-cv-05101-TWT) Order (13 in 1:17-cv-05125-TWT, 13 in 1:17-cv-05125-TWT) Order (10 in 1:17-cv-05088-TWT, 10 in 1:17-cv-05088-TWT) Order (9 in 1:17-cv-05059-TWT, 9 in 1:17-cv-05059-TWT) Order (7 in 1:17-cv-05090-TWT, 7 in 1:17-cv-05090-TWT) Order (23 in 1:17-md-02800-TWT, 23 in 1:17-md-02800-TWT, 23 in 1:17-md-02800-TWT) Order (6 in 1:17-cv-05103-TWT, 6 in 1:17-cv-05103-TWT) Order (22 in 1:17-cv-05061-TWT, 22 in 1:17-cv-05061-TWT) Order (7 in 1:17-cv-05060-TWT, 7 in 1:17-cv-05060-TWT) Order (11 in 1:17-cv-05058-TWT, 11 in 1:17-cv-05058-TWT) Order (9 in 1:17-cv-05062-TWT, 9 in 1:17-cv-05062-TWT) Order. Associated Cases: 1:17-md-02800-TWT et al.(jkl) (Entered: 12/21/2017)
12/21/2017	<u>49</u>		NOTICE by Andrew Galpern <i>Notice of Change of Counsel</i> (Cole, Scott) (Entered: 12/21/2017)
12/21/2017	<u>60</u>		CONDITIONAL TRANSFER ORDER CTO-2 from the Judicial Panel on Multidistrict Litigation. (jkl) (Entered: 12/29/2017)
12/22/2017	<u>50</u>		NOTICE of Appearance by Benjamin A. Gastel on behalf of Brian Cox, Jessica Cox, Cady Daughtery, Michael Norris, Julie Richardson (Gastel, Benjamin) (Entered: 12/22/2017)
12/22/2017	<u>51</u>		Corporate Disclosure Statement by Brian Cox, Jessica Cox, Cady Daughtery, Michael Norris, Julie Richardson by Brian Cox, Jessica Cox, Cady Daughtery, Michael Norris, Julie Richardson.(Gastel, Benjamin) (Entered: 12/22/2017)
12/22/2017	<u>52</u>		NOTICE of Appearance by James G. Stranch, IV on behalf of Brian Cox, Jessica Cox, Cady Daughtery, Michael Norris, Julie Richardson (Stranch, James) (Entered: 12/22/2017)
12/22/2017	<u>53</u>		Corporate Disclosure Statement by Jason Morris by Jason Morris.(Hannon, Kevin) (Entered: 12/22/2017)
12/27/2017	<u>54</u>		<b>CONDITIONAL TRANSFER ORDER CTO-3 from the Judicial Panel on Multidistrict Litigation.</b> (jkl) (Entered: 12/27/2017)

12/27/2017	<u>55</u>		NOTICE Of Filing by Equifax, Inc. re <u>23</u> Order,, Set Deadlines/Hearings,, Set/Clear Flags, <i>of Letter to Judge Thrash and Judge Duffey</i> (Attachments: # <u>1</u> Text of Proposed Order)(Smith, Michael) (Entered: 12/27/2017)
12/27/2017	<u>56</u>		WAIVER OF SERVICE Returned Executed by Joshua Gerstein. Equifax Information Services LLC waiver mailed on 12/21/2017, answer due 2/20/2018. (Flick, Brian) (Entered: 12/27/2017)
12/28/2017	<u>57</u>		NOTICE of Appearance by Phillip A. Tortoreti on behalf of Peggy Christen, Joseph T. Coughlin, Jeremy Davis, Amanda Gurtis, John Hughes (Tortoreti, Phillip) (Entered: 12/28/2017)
12/28/2017	<u>58</u>		NOTICE of Appearance by Joseph Alexander Hood, II on behalf of Joseph Gershon Blieberg, Steve Klein (Hood, Joseph) (Entered: 12/28/2017)
12/28/2017	<u>59</u>		CERTIFICATE OF SERVICE filed by Joseph Gershon Blieberg, Steve Klein (Hood, Joseph) (Entered: 12/28/2017)
12/29/2017	<u>61</u>		WAIVER OF SERVICE Returned Executed by Kyle McClure, Josh Rupnow, Courtney D. Smith, Jeremiah Smith, Kurtis St. Clair. Equifax, Inc. waiver mailed on 12/21/2017, answer due 2/20/2018. (Worley, David) (Entered: 12/29/2017)
12/29/2017	<u>62</u>		NOTICE OF APPEARANCE OF COUNSEL by attorney Michael G. Stewart for plaintiffs Brian Cox, Jessica Cox, Cady Daughtery, Michael Norris, Julie Richardson, David Le, Terra Weaver. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03586-TWT, 1:17-cv-05228-TWT, 1:17-cv-05423-TWT(jkl) Modified on 1/3/2018 (jkl). (Entered: 12/29/2017)
12/29/2017	<u>63</u>		NOTICE of Appearance by Joshua Harris Eggatz on behalf of Samuel Eppy (Eggatz, Joshua) (Entered: 12/29/2017)
12/29/2017	<u>64</u>		NOTICE of Appearance by Jeremy A. Lieberman on behalf of Joseph Gershon Blieberg, Steve Klein (Lieberman, Jeremy) (Entered: 12/29/2017)
01/02/2018	<u>65</u>		NOTICE of Appearance by Jay P. Lechner on behalf of Justin Stabenow, Mark Zelakowski (1:17-cv-05370-TWT) (jkl) (Entered: 01/03/2018)
01/03/2018	<u>66</u>		NOTICE of Appearance by Wallace A. McDonald on behalf of Sean J. Martin, Richard Shanken, Tonya Shanken, Nancy Stabell (McDonald, Wallace) (Entered: 01/03/2018)
01/03/2018	<u>67</u>		NOTICE of Appearance by Christopher M. Joe on behalf of Derek Selders, Clint Thomson, Justin Williams (Joe, Christopher) (Entered: 01/03/2018)
01/03/2018	<u>68</u>		

			NOTICE of Appearance by Eric W. Buether on behalf of Derek Selders, Clint Thomson, Justin Williams (Buether, Eric) (Entered: 01/03/2018)
01/03/2018	<u>69</u>		NOTICE of Appearance by William Bradford Kittrell on behalf of Ernesto Mitchel, Monica Rae Perkins (Kittrell, William) (Entered: 01/03/2018)
01/03/2018	<u>70</u>		NOTICE of Appearance by William Lloyd Copeland on behalf of Ernesto Mitchel, Monica Rae Perkins (Copeland, William) (Entered: 01/03/2018)
01/03/2018	<u>71</u>		NOTICE of Appearance by Thomas J. Lyons on behalf of Margaret Amadick, Jeannie Ball, Jennifer Ball, Thomas Greenwood, Robert Roehl, Constance Zasada, Theodore Zasada (Lyons, Thomas) (Entered: 01/03/2018)
01/03/2018	<u>72</u>		NOTICE of Appearance by Paul Berry Cooper, III on behalf of Clifton Ralph Messer, Jr., Richard Wittenberg (Cooper, Paul) (Entered: 01/03/2018)
01/04/2018	<u>73</u>		Letter to Judge Thrash and Judge Duffey by Equifax, Inc. re <u>55</u> Notice of Filing (Attachments: # <u>1</u> Text of Proposed Order)(Smith, Michael) Modified on 1/4/2018 (jkl). (Entered: 01/04/2018)
01/04/2018	<u>74</u>		NOTICE of Appearance by Richard R. Rosenthal on behalf of Ernesto Mitchel, Monica Rae Perkins (Rosenthal, Richard) (Entered: 01/04/2018)
01/04/2018	<u>75</u>		NOTICE of Appearance by Joshua D. Wells on behalf of James Abraham, Catherine Alderman, Judy Diane Brandon, Heather Duenas, Justin Fiore, Ricky Lee Hale, Kory Hershkowitz, Bryan Lipchitz, Brian Thompson James Martin, Allan Menzer, John J. Pagliarulo, Donald Person, Joseph Pugliese, Dan Richmond, Kimberly Richmond, James Martin. (jkl) (Entered: 01/05/2018)
01/04/2018	<u>78</u>		NOTICE of Appearance by David Malcolm McMullan, Jr on behalf of Daniel Martin (jkl) (Entered: 01/05/2018)
01/05/2018	<u>76</u>		NOTICE of Appearance by Sharon S. Almonrode on behalf of Justin Bakko (Almonrode, Sharon) (Entered: 01/05/2018)
01/05/2018	<u>77</u>		NOTICE of Appearance by Thomas V. Girardi on behalf of Amanda Janaye White (Girardi, Thomas) (Entered: 01/05/2018)
01/05/2018	<u>89</u>		NOTICE of Appearance by Brian Andrew Carpenter on behalf of Derek Selders, Clint Thomson, Justin Williams. (jkl) (Entered: 01/10/2018)
01/08/2018	<u>79</u>		NOTICE of Appearance by Kevin Peter Roddy on behalf of Peggy Christen, Joseph T. Coughlin, Jeremy Davis, Amanda Gurtis, John Hughes (Roddy, Kevin) (Entered: 01/08/2018)

01/08/2018	<u>80</u>		MOTION Lift Restrictions on Media <i>Plaintiffs</i> by Wright–Patt Credit Union. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Van Horn, Charles) (Entered: 01/08/2018)
01/08/2018	<u>81</u>		NOTICE of Appearance by Craig A. Gillen on behalf of ASI Federal Credit Union, Army Aviation Center Federal Credit Union, Association of Vermont Credit Unions, Inc., Aventa Credit Union, Bank of Louisiana, California Credit Union League, Carolinas Credit Union League, Consumers Cooperative Credit Union, Credit Union National Association, Durand State Bank, Elements Financial Federal Credit Union, Embark Credit Union, First Choice Federal Credit Union, First Education Federal Credit Union, First Nebraska Credit Union, Gerber Federal Credit Union, Greater Cincinnati Credit Union, Heritage Federal Credit Union, ICUL Service Corporation, Illinois Credit Union League, Indiana Credit Union League, League of Southeastern Credit Unions & Affiliates, Michigan Credit Union League, Minnesota Credit Union Network, Mississippi Credit Union League, Montana Credit Union League, Mountain West Credit Union Association, Nebraska Credit Union League, Nevada Credit Union League, New York Credit Union Association, Numark Credit Union, Ohio Credit Union League, Oteen VA Federal Credit Union, Pennsylvania Credit Union Association, Ravalli County Federal Credit Union, SELCO Community Credit Union, Services Credit Union, UMassFive College Federal Credit Union, Virginia Credit Union League, Wright–Patt Credit Union (Gillen, Craig) (Entered: 01/08/2018)
01/08/2018	<u>82</u>		NOTICE OF CHANGE OF FIRM NAME AND ADDRESS by April Mardock, Kyle McClure, Josh Rupnow, Courtney D. Smith, Kurtis St. Clair (Rado, Andrei) Modified on 1/9/2018 (jkl). (Entered: 01/08/2018)
01/08/2018	<u>83</u>		NOTICE Of Filing CONSUMER, FINANCIAL INSTITUTION AND SMALL BUSINESS PLAINTIFFS LIST OF AFFILIATED COMPANIES (Worley, David) (Entered: 01/08/2018)
01/08/2018	<u>84</u>		NOTICE Of Filing CONSUMER, FINANCIAL INSTITUTION AND SMALL BUSINESS PLAINTIFFS LIST OF COUNSEL (Attachments: # <u>1</u> Exhibit 1 (Plaintiffs' Counsel Table))(Worley, David) (Entered: 01/08/2018)
01/08/2018	<u>90</u>		NOTICE of Appearance by Jason L. Nabors on behalf of Jennifer Goodman, James Carroll Hood, Larry Bentley Hood, Neva Joyce Hood, Thristian Michel, Jennifer Whitfill. (jkl) (Entered: 01/10/2018)
01/08/2018	<u>91</u>		NOTICE of Appearance by Shane Fredrick Langston on behalf of Michael Kemp, Drew Martin (Attachments: # <u>1</u> 17–5323)(jkl) (Entered: 01/10/2018)

01/08/2018	<u>92</u>		NOTICE of Appearance Rebecca M. Langston on behalf of Drew Martin, Samantha Woods, Joshua Woods, Michael Kemp, Jennifer Whitfill, James Carroll Hood, Jennifer Goodman, Neva Joyce Hood, Larry Bentley Hood and Thristian Michel. (Attachments: # <u>1</u> 18-cv-23, # <u>2</u> 17-cv-5323, # <u>3</u> 17-cv-5490)(jkl) (Entered: 01/10/2018)
01/08/2018	<u>93</u>		NOTICE of Appearance of Greta L. Kemp on behalf of Jennifer Goodman, James Carroll Hood, Larry Bentley Hood, Neva Joyce Hood, Michael Kemp, Drew Martin, Thristian Michel, Jennifer Whitfill, Joshua Woods, Samantha Woods (Attachments: # <u>1</u> 17-cv-5323, # <u>2</u> 18-cv-23, # <u>3</u> 18-cv-38)(jkl) (Entered: 01/10/2018)
01/09/2018	<u>85</u>		ORDER granting <u>80</u> Motion to Lift Restrictions on Media. Signed by Judge Thomas W. Thrash, Jr on 1/9/2018. (ss) (Entered: 01/09/2018)
01/09/2018	<u>86</u>		Minute Entry for proceedings held before Judge Thomas W. Thrash, Jr: Status Conference held on 1/9/2018. Proposed Case Management Order # 2 filed in court. Leadership Applications are due 2/2/2018. The next status conference in this case will be scheduled after the plaintiffs' leadership appointments are made. Court will discuss Securities Fraud cases with Judge Duffey. (Court Reporter Susan Baker)(jkl) (Entered: 01/09/2018)
01/10/2018	<u>87</u>		CASE MANAGEMENT ORDER NO. 2 Signed by Judge Thomas W. Thrash, Jr on 1/9/2018. (Attachments: # <u>1</u> Exhibit 1A Consumer Case and Counsel Table, # <u>2</u> Exhibit 1B Small Business Cases and Counsel Table, # <u>3</u> Exhibit 2 Financial Cases and Counsel Table)Associated Cases: 1:17-md-02800-TWT et al.(ss) (Entered: 01/10/2018)
01/10/2018	<u>88</u>		<b>CONDITIONAL TRANSFER ORDER CTO-4 from the Judicial Panel on Multidistrict Litigation.</b> (jkl) (Entered: 01/10/2018)
01/10/2018	<u>94</u>		NOTICE Of Filing CORRECTED CONSUMER, FINANCIAL INSTITUTION AND SMALL BUSINESS PLAINTIFFS LIST OF COUNSEL by ALL PLAINTIFFS (Attachments: # <u>1</u> Exhibit 1 (Plaintiffs' Counsel Table))(Worley, David) (Entered: 01/10/2018)
01/10/2018	<u>95</u>		NOTICE of Appearance by Andrew Kochanowski on behalf of Imtiyaz Dhuka, Abuzar Dhukka, Imtiaz Maredia, Mumtaz Maredia, Kevin Putegnat, Nydia Putegnat (Kochanowski, Andrew) (Entered: 01/10/2018)
01/10/2018	<u>96</u>		NOTICE of Appearance by Sarah L. Rickard on behalf of Imtiyaz Dhuka, Abuzar Dhukka, Imtiaz Maredia, Mumtaz Maredia, Kevin Putegnat, Nydia Putegnat (Rickard, Sarah) (Entered: 01/10/2018)
01/10/2018	<u>97</u>		

			NOTICE of Appearance by Richard P. Rouco on behalf of Sanjay Kumar Rajput (Rouco, Richard) (Entered: 01/10/2018)
01/10/2018	<u>99</u>		NOTICE Of Appearance of Steven M. Shepard on behalf of Marc LaGasse, Andrea E. Petrungaro. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03745-TWT(jkl) (Entered: 01/11/2018)
01/10/2018	<u>100</u>		NOTICE Of Appearance of Elizabeth McKenna on behalf of April Mardock, Kyle McClure, Josh Rupnow, Courtney D. Smith, Kurtis St. Clair. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03499-TWT, 1:17-cv-04792-TWT(jkl) (Entered: 01/11/2018)
01/10/2018	<u>101</u>		NOTICE Of Appearance of Melissa Ryan Clark on behalf of by April Mardock, Kyle McClure, Josh Rupnow, Courtney D. Smith, Kurtis St. Clair. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03499-TWT, 1:17-cv-04792-TWT(jkl) (Entered: 01/11/2018)
01/11/2018	<u>98</u>		TRANSCRIPT of Proceedings (status conference) held on January 9, 2018, before Judge Thomas W. Thrash, Jr.. Court Reporter/Transcriber Susan C. Baker, Telephone number (404) 215-1558. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 2/1/2018. Redacted Transcript Deadline set for 2/12/2018. Release of Transcript Restriction set for 4/11/2018. (Attachments: # <u>1</u> Notice of Filing of Official Transcript) (fem) (Entered: 01/11/2018)
01/12/2018	<u>102</u>		CONDITIONAL TRANSFER ORDER CTO-5 from the Judicial Panel on Multidistrict Litigation. (jkl) (Entered: 01/12/2018)
01/12/2018	<u>103</u>		ORDER Scheduling Hearing on Applications for Leadership Appointments for 2/9/2018 at 10:00 a.m., Courtroom 2108. Signed by Judge Thomas W. Thrash, Jr on 1/12/2018. Associated Cases: 1:17-md-02800-TWT et al.(ss) (Entered: 01/12/2018)
01/12/2018	<u>104</u>		NOTICE Of Filing AMENDED CONSUMER, FINANCIAL INSTITUTION AND SMALL BUSINESS PLAINTIFFS LIST OF AFFILIATED COMPANIES by ALL PLAINTIFFS (Worley, David) (Entered: 01/12/2018)
01/12/2018	<u>105</u>		NOTICE of Appearance by Virginia M. Buchanan on behalf of ANECA Federal Credit Union (jkl) (Entered: 01/16/2018)
01/12/2018	<u>106</u>		NOTICE of Appearance by Kenneth Paul Kula on behalf of Derek Selders, Clint Thomson, Justin Williams (jkl) (Entered: 01/16/2018)



01/16/2018	<u>109</u>		NOTICE of Appearance of Steven A. Schwartz by Joseph M. Kuss, Stacy Markowitz (jkl) (Entered: 01/22/2018)
01/16/2018	<u>110</u>		NOTICE of Appearance by Benjamin F. Johns on behalf of Joseph M. Kuss, Stacy Markowitz (jkl) (Entered: 01/22/2018)
01/16/2018	<u>111</u>		NOTICE of Appearance of Joseph L. Marchese by Victor Zamora (jkl) (Entered: 01/22/2018)
01/16/2018	<u>112</u>		NOTICE of Appearance of Joshua D. Arisohn by Victor Zamora (jkl) (Entered: 01/22/2018)
01/16/2018	<u>113</u>		NOTICE of Appearance of Philip L. Fraietta by Victor Zamora (jkl) (Entered: 01/22/2018)
01/17/2018	<u>107</u>		<b>CONDITIONAL TRANSFER ORDER CTO-6 from the Judicial Panel on Multidistrict Litigation.</b> (jkl) (Entered: 01/22/2018)
01/17/2018	<u>108</u>		ORDER of United States Judicial Panel on Multidistrict Litigation VACATING <u>107</u> CTO-6 as to 1:18-00006 (NDNY) ONLY. (jkl) (Entered: 01/22/2018)
01/23/2018			NOTICE re <u>86</u> Status Conference LEADERSHIP APPLICATIONS. In addition to the instructions given to counsel as to the due date of the applications to be filed (2/2/2018), counsel should also PROVIDE HARD COPY to Chambers of Judge Thrash. (ss) (Entered: 01/23/2018)
01/23/2018	<u>114</u>		NOTICE of Appearance by Rosanne L. Mah on behalf of Malcolm B Feied (Mah, Rosanne) (Entered: 01/23/2018)
01/24/2018	<u>115</u>		<b>CONDITIONAL TRANSFER ORDER CTO-7 from the Judicial Panel on Multidistrict Litigation.</b> (EQACtrk)(jkl) (Entered: 01/24/2018)
01/24/2018	<u>116</u>		ORDER of United States Judicial Panel on Multidistrict Litigation REINSTATING STAY OF <u>102</u> CTO-5 as to Plaintiff CRAVEN RANDALL CASPER. (EQACtrk)(jkl) (Entered: 01/25/2018)
01/25/2018	<u>117</u>		NOTICE of Appearance of William T. Gibbs on behalf of Karl Gordon Eikost, Jody Meyers, Scott Meyers. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-05275-TWT(EQACtrk)(jkl) (Entered: 01/25/2018)
01/25/2018	<u>118</u>		NOTICE of Appearance by Rosalee B.C. Thomas on behalf of Malcolm B Feied (EQACtrk)(Mah, Rosanne) Modified on 1/26/2018 to correct attorney (jkl). (Entered: 01/25/2018)
01/25/2018	<u>122</u>		NOTICE of Appearance by Ashley Marie Romero on behalf of Michael Irwin Associated Cases: 1:17-md-02800-TWT, 1:17-cv-05360-TWT(EQACtrk)(jkl) (Entered: 01/29/2018)
01/25/2018	<u>123</u>		NOTICE of Appearance by Derek G. Howard on behalf of Michael Irwin Associated Cases: 1:17-md-02800-TWT,

			1:17-cv-05360-TWT(EQACtrk)(jkl) (Entered: 01/29/2018)
01/26/2018	<u>119</u>		NOTICE of Appearance by Shelly L. Friedland on behalf of Shervon Flores (EQACtrk)(Friedland, Shelly) (Entered: 01/26/2018)
01/26/2018	<u>120</u>		NOTICE of Appearance of Ted Trief by Shelly L. Friedland on behalf of Shervon Flores, Elio Guzman, Ellen Lamb, Owen Lamb, Jose Perez, Tenku Ruff, George Wolff. (EQACtrk)(Friedland, Shelly) Modified to correct attorney name and add parties on 1/29/2018 (jkl). (Entered: 01/26/2018)
01/26/2018	<u>121</u>		NOTICE of Appearance by Erin Green Comite on behalf of ASI Federal Credit Union, Army Aviation Center Federal Credit Union, Association of Vermont Credit Unions, Inc., Atlantic City Federal Credit Union, Aventa Credit Union, Bank of Louisiana, Bank of Zachary, California Credit Union League, Carolinas Credit Union League, Consumers Cooperative Credit Union, Credit Union League Of Connecticut, Credit Union National Association, Durand State Bank, Elements Financial Federal Credit Union, Embark Credit Union, First Choice Federal Credit Union, First Education Federal Credit Union, First Financial Credit Union, First Nebraska Credit Union, Gerber Federal Credit Union, Greater Cincinnati Credit Union, Halliburton Employees Federal Credit Union, Heritage Federal Credit Union, ICUL Service Corporation, Illinois Credit Union League, Independent Community Bankers of America, Indiana Credit Union League, Jonah Bank of Wyoming, League of Southeastern Credit Unions & Affiliates, MD/DC Credit Union Association, Michigan Credit Union League, Minnesota Credit Union Network, Mississippi Credit Union League, Montana Credit Union League, Mountain West Credit Union Association, Nebraska Credit Union League, Nevada Credit Union League, New York Credit Union Association, Numark Credit Union, Ohio Credit Union League, Oteen VA Federal Credit Union, Pennsylvania Credit Union Association, Ravalli County Federal Credit Union, SELCO Community Credit Union, Services Credit Union, Seven Seventeen Credit Union, Sky Federal Credit Union, The First State Bank, UMassFive College Federal Credit Union, Virginia Credit Union League, Wright-Patt Credit Union (EQFItkr), D.L. Evans Bank, Texas First Bank (Comite, Erin) Modified on 1/29/2018 to add plaintiffs (jkl). (Entered: 01/26/2018)
01/26/2018	<u>125</u>		Mail sent to attorney Steven Alan Herman re <u>23</u> Order RETURNED. (EQACtrk)(jkl) (Entered: 01/29/2018)
01/29/2018	<u>124</u>		NOTICE of Appearance by Gary S. Graifman on behalf of Elizabeth Chakan, Michael Gottesman, Solomon Hesney, William Thomas McHenry, David Pollack



			(EQACtrk)(Graifman, Gary) (Entered: 01/29/2018)
01/29/2018	<u>126</u>		NOTICE of Appearance by Brian LaCien on behalf of Kristine Bobbitt (EQACtrk)( LaCien, Brian) (Entered: 01/29/2018)
01/29/2018	<u>127</u>		NOTICE of Appearance by Joseph P. Guglielmo on behalf of ASI Federal Credit Union, Army Aviation Center Federal Credit Union, Association of Vermont Credit Unions, Inc., Atlantic City Federal Credit Union, Aventa Credit Union, Bank of Louisiana, Bank of Zachary, California Credit Union League, Carolinas Credit Union League, Consumers Cooperative Credit Union, Credit Union League Of Connecticut, Credit Union National Association, D.L. Evans Bank, Durand State Bank, Elements Financial Federal Credit Union, Embark Credit Union, First Choice Federal Credit Union, First Education Federal Credit Union, First Financial Credit Union, First Nebraska Credit Union, Gerber Federal Credit Union, Greater Cincinnati Credit Union, Halliburton Employees Federal Credit Union, Heritage Federal Credit Union, ICUL Service Corporation, Illinois Credit Union League, Independent Community Bankers of America, Indiana Credit Union League, Jonah Bank of Wyoming, League of Southeastern Credit Unions & Affiliates, MD/DC Credit Union Association, Michigan Credit Union League, Minnesota Credit Union Network, Mississippi Credit Union League, Montana Credit Union League, Mountain West Credit Union Association, Nebraska Credit Union League, Nevada Credit Union League, New York Credit Union Association, Numark Credit Union, Ohio Credit Union League, Oteen VA Federal Credit Union, Pennsylvania Credit Union Association, Ravalli County Federal Credit Union, SELCO Community Credit Union, Services Credit Union, Seven Seventeen Credit Union, Sky Federal Credit Union, Texas First Bank, The First State Bank, UMassFive College Federal Credit Union, Virginia Credit Union League, Wright-Patt Credit Union, D.L. Evans Bank and Texas First Bank (EQFIttrk)(Guglielmo, Joseph) Modified on 1/29/2018 to add plaintiffs (jkl). (Entered: 01/29/2018)
01/30/2018	<u>128</u>		NOTICE of Appearance by Brian LaCien on behalf of Kristine Bobbitt (EQACtrk)( LaCien, Brian) (Entered: 01/30/2018)
01/30/2018	<u>129</u>		NOTICE of Appearance by Gary F. Lynch on behalf of ASI Federal Credit Union, Army Aviation Center Federal Credit Union, Association of Vermont Credit Unions, Inc., Atlantic City Federal Credit Union, Aventa Credit Union, Bank of Louisiana, Bank of Zachary, California Credit Union League, Carolinas Credit Union League, Consumers Cooperative Credit Union, Credit Union League Of Connecticut, Credit Union National Association, D.L. Evans Bank, Durand State Bank, Elements Financial Federal Credit

		<p>Union, Embark Credit Union, First Choice Federal Credit Union, First Education Federal Credit Union, First Financial Credit Union, First Nebraska Credit Union, Gerber Federal Credit Union, Greater Cincinnati Credit Union, Halliburton Employees Federal Credit Union, Heritage Federal Credit Union, ICUL Service Corporation, Illinois Credit Union League, Independent Community Bankers of America, Indiana Credit Union League, Jonah Bank of Wyoming, League of Southeastern Credit Unions &amp; Affiliates, MD/DC Credit Union Association, Michigan Credit Union League, Minnesota Credit Union Network, Mississippi Credit Union League, Montana Credit Union League, Mountain West Credit Union Association, Nebraska Credit Union League, Nevada Credit Union League, New York Credit Union Association, Numark Credit Union, Ohio Credit Union League, Oteen VA Federal Credit Union, Pennsylvania Credit Union Association, Putnam Bank, Ravalli County Federal Credit Union, SELCO Community Credit Union, Services Credit Union, Seven Seventeen Credit Union, Sky Federal Credit Union, Texas First Bank, The First State Bank, UMassFive College Federal Credit Union, University of Louisiana Federal Credit Union, Virginia Credit Union League, Wright–Patt Credit Union (EQFIttrk)(Lynch, Gary) (Entered: 01/30/2018)</p>
01/30/2018	<u>130</u>	<p>MOTION to Appoint Lead Counsel <i>Application for Appointment of Tina Wolfson as Lead Counsel for the Consumer Plaintiff Class</i> by Timothy Durham, Barbara Trevino. (Attachments: # <u>1</u> Exhibit 1 (Tina Wolfson CV))(EQCCtrk)(Wolfson, Tina) (Entered: 01/30/2018)</p>
01/30/2018	<u>131</u>	<p>NOTICE of Appearance of CAREY ALEXANDER on behalf of Atlantic City Federal Credit Union, Elements Financial Federal Credit Union, First Nebraska Credit Union, Putnam Bank, Wright–Patt Credit Union, Association of Vermont Credit Unions, Inc., California Credit Union League, Carolinas Credit Union League, Consumers Cooperative Credit Union, Embark Credit Union, Indiana Credit Union League, League of Southeastern Credit Unions &amp; Affiliates, Mississippi Credit Union League, Montana Credit Union League, Mountain West Credit Union Association, Nevada Credit Union League, Numark Credit Union, Pennsylvania Credit Union Association, Ravalli County Federal Credit Union, Gerber Federal Credit Union, Illinois Credit Union League, Minnesota Credit Union Network, Nebraska Credit Union League, New York Credit Union Association, Ohio Credit Union League, Oteen VA Federal Credit Union, SELCO Community Credit Union, Virginia Credit Union League, MD/DC Credit Union Association, Sky Federal Credit Union, University of Louisiana Federal Credit Union(individually and on behalf of a class of all similarly situated financial institutions),</p>

		<p>Bank of Zachary, Independent Community Bankers of America, The First State Bank, ASI Federal Credit Union, First Education Federal Credit Union, Michigan Credit Union League, Durand State Bank, Jonah Bank of Wyoming, Credit Union League Of Connecticut, First Financial Credit Union, Halliburton Employees Federal Credit Union, Seven Seventeen Credit Union, D.L. Evans Bank, Texas First Bank, Army Aviation Center Federal Credit Union, Credit Union National Association, Greater Cincinnati Credit Union, Aventa Credit Union, Bank of Louisiana, First Choice Federal Credit Union (Attachments: # <u>1</u> Individual Cases)Associated Cases:  1:17-md-02800-TWT et al.(EQACtrk)(jkl) Modified on 2/2/2018 to terminate notification (cdg). Modified on 2/8/2018 to terminate notification (cdg). (Entered: 01/31/2018)</p>
01/31/2018	<u>132</u>	<p>NOTICE of Appearance of MARGARET B. FERRON on behalf of Atlantic City Federal Credit Union, Elements Financial Federal Credit Union, First Nebraska Credit Union, Putnam Bank, Wright-Patt Credit Union, Association of Vermont Credit Unions, Inc., California Credit Union League, Carolinas Credit Union League, Consumers Cooperative Credit Union, Embark Credit Union, Indiana Credit Union League, League of Southeastern Credit Unions &amp; Affiliates, Mississippi Credit Union League, Montana Credit Union League, Mountain West Credit Union Association, Nevada Credit Union League, Numark Credit Union, Pennsylvania Credit Union Association, Ravalli County Federal Credit Union, Gerber Federal Credit Union, Illinois Credit Union League, Minnesota Credit Union Network, Nebraska Credit Union League, New York Credit Union Association, Ohio Credit Union League, Oteen VA Federal Credit Union, SELCO Community Credit Union, Virginia Credit Union League, MD/DC Credit Union Association, Sky Federal Credit Union, University of Louisiana Federal Credit Union(individually and on behalf of a class of all similarly situated financial institutions), Bank of Zachary, Independent Community Bankers of America, The First State Bank, ASI Federal Credit Union, First Education Federal Credit Union, Michigan Credit Union League, Durand State Bank, Jonah Bank of Wyoming, Credit Union League Of Connecticut, First Financial Credit Union, Halliburton Employees Federal Credit Union, Seven Seventeen Credit Union, D.L. Evans Bank, Texas First Bank, Army Aviation Center Federal Credit Union, Credit Union National Association, Greater Cincinnati Credit Union, Aventa Credit Union, Bank of Louisiana, First Choice Federal Credit Union (Attachments: # <u>1</u> Individual Cases)Associated Cases:  1:17-md-02800-TWT et al.(EQACtrk)(jkl) Modified on 2/2/2018 to terminate notification (cdg). (Entered:</p>

			01/31/2018)
01/31/2018	<u>133</u>		NOTICE by Suncoast Credit Union of <i>Tag-Along Action (MDL)</i> (EQFItrk)(Snyder, Reginald) (Entered: 01/31/2018)
01/31/2018	<u>135</u>		NOTICE of Appearance by Todd A. Smith on behalf of Kristine Bobbitt Associated Cases: 1:17-md-02800-TWT, 1:18-cv-00142-TWT(EQACtrk)(jkl) Modified on 1/31/2018 – corrected PDF (jkl). (Entered: 01/31/2018)
01/31/2018	<u>136</u>		MOTION Robin Frazer Clark's Application for Appointment to the Plaintiffs' Steering Committee by Jasmine Chenault. (EQACtrk)(Clark, Robin) (Entered: 01/31/2018)
01/31/2018			Notification of Docket Correction – PDF corrected re (20 in 1:18-cv-00142-TWT, 135 in 1:17-md-02800-TWT) Notice of Appearance of Todd Smith. Associated Cases: 1:17-md-02800-TWT, 1:18-cv-00142-TWT(EQACtrk)(jkl) (Entered: 01/31/2018)
01/31/2018	<u>137</u>		NOTICE of Appearance of Jennifer L. Joost on behalf of by Kirby Wilkins, Victoria Kealy, Nida Samson. ( <i>Note: Case No. incorrectly listed as 17-3488, and plaintiff Kealy omitted</i> ). Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03448-TWT, 1:17-cv-03972-TWT(EQACtrk)(jkl) (Entered: 01/31/2018)
01/31/2018	<u>138</u>		MOTION to Appoint Counsel <i>Mark S. Goldman, Esq. and Goldman, Scarlato &amp; Penny, P.C. As A Member Of The Steering Committee for the Consumer Plaintiff Class</i> by ALL PLAINTIFFS. (EQCCtrk)(Goldman, Mark) (Entered: 01/31/2018)
01/31/2018	<u>147</u>		JOINT APPLICATION OF SHANE F. LANGSTON AND REBECCA M. LANGSTON FOR APPOINTMENT TO STEERING COMMITTEE. (EQACtrk)(jkl) (Entered: 02/02/2018)
01/31/2018	<u>148</u>		NOTICE of Appearance by T. Roe Frazer II on behalf of Jasmine Chenault. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03764-TWT(EQACtrk)(jkl) (Entered: 02/02/2018)
01/31/2018	<u>705</u>		CONDITIONAL TRANSFER ORDER CTO-8 from the Judicial Panel on Multidistrict Litigation. (EQACtrk)(jdb) (Entered: 04/16/2019)
02/01/2018	<u>139</u>		NOTICE Of Filing CONSUMER, FINANCIAL INSTITUTION AND SMALL BUSINESS PLAINTIFFS AMENDED LIST OF COUNSEL by ALL PLAINTIFFS (Attachments: # <u>1</u> Exhibit 1 (Plaintiffs' Amended List of Counsel))(EQACtrk)(Worley, David) (Entered: 02/01/2018)
02/01/2018	<u>140</u>		MOTION to Appoint Counsel <i>Application for Appointment of Thomas V. Girardi as Lead Counsel for the Consumer Plaintiff Class</i> by ALL PLAINTIFFS. (EQCCtrk)(Girardi,

			Thomas) (Entered: 02/01/2018)
02/01/2018	<u>141</u>		MOTION to Appoint Lead Counsel by Lou Marino. (Attachments: # <u>1</u> Brief, # <u>2</u> Exhibit)(EQCctrk)(Gregory, Steven) (Entered: 02/01/2018)
02/01/2018	<u>142</u>		NOTICE of Appearance by Nicholas Diamond on behalf of Leigh Dunlap, Lola Hunter, Greg Johns, Yorkman Lowe, Timothy Mack. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-05342-TWT(EQACtrk)(jkl) (Entered: 02/01/2018)
02/01/2018	<u>143</u>		Consent MOTION Lift Restrictions on Media by David Horne. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Text of Proposed Order, # <u>3</u> Exhibit A)(EQACtrk)(Herman, John) (Entered: 02/01/2018)
02/01/2018	<u>144</u>		NOTICE of Appearance by Rosemary M. Rivas on behalf of Bob Helton, Maria Schifano, LA' Sohn Smith, Heather Waitman (EQCctrk)(Rivas, Rosemary) (Entered: 02/01/2018)
02/01/2018	<u>145</u>		MOTION to Appoint Lead Counsel <i>Troy N. Giatras to Steering Committee for Consumer Plaintiff Class</i> by Rodd Santomauro. (Attachments: # <u>1</u> Exhibit 1 – Curriculum Vitae)(EQCctrk)(Giatras, Troy) (Entered: 02/01/2018)
02/01/2018	<u>149</u>		NOTICE of Appearance by Melvin B. Hollowell on behalf of Justin Bakko. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-05442-TWT(EQACtrk)(jkl) (Entered: 02/02/2018)
02/01/2018	<u>199</u>		AMENDED <u>147</u> JOINT APPLICATION OF SHANE F. LANGSTON AND REBECCA M. LANGSTON FOR APPOINTMENT TO STEERING COMMITTEE. (EQACtrk)(jkl) Modified on 2/8/2018 (jkl). (Entered: 02/05/2018)
02/02/2018	<u>146</u>		MOTION to Appoint Lead Counsel <i>Daniel S. Robinson of Robinson Calcagnie, Inc.</i> by Grant Avise. (EQACtrk)(Robinson, Daniel) (Entered: 02/02/2018)
02/02/2018	<u>150</u>		NOTICE of Appearance by Orin Kurtz on behalf of Josh Grossberg, Margret Linich, Lisa Olivo, Justin Rothman, Michael Rothman, Ondrea Faillace. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-05006-TWT, 1:17-cv-05016-TWT, 1:17-cv-05061-TWT(EQACtrk)(jkl) (Entered: 02/02/2018)
02/02/2018	<u>151</u>		APPLICATION FOR APPOINTMENT OF GARDY & NOTIS, LLP AS A MEMBER OF THE STEERING COMMITTEE FOR THE CONSUMER PLAINTIFF CLASS. (EQACtrk)(jkl) (Entered: 02/02/2018)
02/02/2018	<u>152</u>		MOTION to Appoint Counsel <i>W. Pitts Carr as Liaison Counsel</i> with Brief In Support by Marc LaGasse, Andrea E. Petrungaro. (EQCctrk)(Carr, W.) (Entered: 02/02/2018)

02/02/2018	<u>153</u>		NOTICE of Appearance by Rosemary M. Rivas on behalf of Bob Helton, Maria Schifano, LA' Sohn Smith, Heather Waitman (EQCCtrk)(Rivas, Rosemary) (Entered: 02/02/2018)
02/02/2018	<u>154</u>		MOTION to Appoint Counsel <i>Joint Application of Stephen G. Lowry for Leadership Position or Plaintiffs' Steering Committee and of Miles N. Clark for Plaintiffs' Steering Committee</i> with Brief In Support by Charles Pavesi, Jr, Paul Turok. (Attachments: # <u>1</u> Exhibit List of Cases, # <u>2</u> Exhibit List of Endorsements, # <u>3</u> Exhibit Stephen G. Lowry Biography, # <u>4</u> Exhibit Miles N. Clark Biography, # <u>5</u> Exhibit About DannLaw, # <u>6</u> Exhibit About Zimmerman Law)(EQCCtrk)(McNeeley, Madeline) (Entered: 02/02/2018)
02/02/2018	<u>155</u>		Joint MOTION to Appoint Lead Counsel , <i>Liaison Counsel, and Steering Committee</i> by Marc LaGasse, Andrea E. Petrungaro. (Attachments: # <u>1</u> Appendix)(EQCCtrk)(Susman, Stephen) (Entered: 02/02/2018)
02/02/2018	<u>156</u>		MOTION to Appoint Counsel <i>OF ROSALEE B.C. THOMAS AND FINKELSTEIN THOMPSON LLP FOR APPOINTMENT TO PLAINTIFFS STEERING COMMITTEE</i> by Malcolm B Feied. (Attachments: # <u>1</u> Exhibit A)(EQCCtrk)(Mah, Rosanne) (Entered: 02/02/2018)
02/02/2018	<u>157</u>		MOTION to Appoint Counsel <i>Steven F. Molo to Consumer Plaintiffs' Steering Committee</i> by Marc LaGasse, Andrea E. Petrungaro. (Attachments: # <u>1</u> Appendix to Application of Steven F. Molo)(EQCCtrk)(Molo, Steven) (Entered: 02/02/2018)
02/02/2018	<u>158</u>		CERTIFICATE OF SERVICE filed by Malcolm B Feied <i>re: APPLICATION OF ROSALEE B.C. THOMAS AND FINKELSTEIN THOMPSON LLP FOR APPOINTMENT TO PLAINTIFFS STEERING COMMITTEE</i> (EQCCtrk)(Mah, Rosanne) (Entered: 02/02/2018)
02/02/2018	<u>159</u>		MOTION to Appoint Lead Counsel <i>Sherrie Savett</i> with Brief In Support by Joseph Clark, Meghan Clark, Ruth Reyes. (EQCCtrk)(Savett, Sherrie) (Entered: 02/02/2018)
02/02/2018	<u>160</u>		ORDER ALLOWING AUDIO/VISUAL OR OTHER COMPUTER EQUIPMENT IN THE COURTROOM on 2/9/2018 for hearing at 10:00 a.m. Signed by Judge Thomas W. Thrash, Jr on 2/2/2018. (Attachments: # <u>1</u> Exhibit Alpha List of Counsel)(EQACtrk)(ss) (Entered: 02/02/2018)
02/02/2018	<u>161</u>		MOTION to Appoint Lead Counsel <i>Roxanne B. Conlin</i> by Marilyn Dorsey, Nicole Grafton, Michael Nehring, York Taenzer. (Attachments: # <u>1</u> Errata C.V. of Roxanne Barton Conlin)(EQCCtrk)(Conlin, Roxanne) (Entered: 02/02/2018)



02/02/2018	<u>162</u>		MOTION to Appoint Lead Counsel <i>William H. Murphy, III</i> with Brief In Support by Joseph Gallant, Jr. (Attachments: # <u>1</u> Exhibit List, # <u>2</u> Exhibit 1 – Declaration of William H. Murphy, III, # <u>3</u> Exhibit 2 – CV of William H. Murphy, III, # <u>4</u> Exhibit 3 – Murphy, Falcon and Murphy Firm Bio, # <u>5</u> Exhibit 4 – AAJ Resolution Diversity in Trial Court Appointments, # <u>6</u> Exhibit 5 – Attorneys Endorsing Stephen G. Lowry)(EQCCtrk)(Murphy, William) Text modified on 2/2/2018 (jkl). (Entered: 02/02/2018)
02/02/2018	<u>163</u>		MOTION to Appoint Lead Counsel <i>Jason R. Doss, Counsel for Small Business Plaintiffs, As Co-Lead Counsel for Consumer Plaintiff Class</i> with Brief In Support by Richard Alexander, Akbar Ali, Poonam Ali, Dawn Lea Chalmers, Michael Chase, Chaselight, LLC, Coastal Communications, LLC, Rahul Faruqi, Forest Express Properties, LLC, Jelli Donuts, LLC, Jus Rev, LLC, Kademi, LLC, Angela M. Krout, Teresa Sue Martin, William Marvin Martin, Jr, Martin's Auto Repair, Mojo Mama's LLC, Jeff Newkirk, Justin O'Dell, O'Dell & O'Neal, P.C., O'Dell Properties, LLC, One Cent Lane, LLC, Oshik Perez, Pierce N Tell of Sarasota, LLC, Rafco, LLC, Reevney St. Luc, Superior Services Investment Group, LLC, The Mello Group, Inc., Chris Williams, Bridgette Young, Young's Distributing Co., Inc.. (Attachments: # <u>1</u> Affidavit)(EQCCtrk)(Doss, Jason) (Entered: 02/02/2018)
02/02/2018	<u>164</u>		NOTICE of Appearance by Jodi Westbrook Flowers on behalf of John Kennedy Bailey, Karen Bergquist, John L. Brisini, Jr, Donald A. Cordell, Andrew Crow, Jeffrey Warren Dixon, Carrie L. Entsminger, Johnathan C. Entsminger, Richard Gainey, Valerie Gainey, Sarah L. Hardy, Aloha Kier, Jackie L. Kier, Jon M. Lewis, Antonietta McCann, Hollie Moore, Kerri Murphy, Larry Newcomer, Kevin O'Brien, Sarah O'Brien, Stephanie Patrick, Lorraine Plante, Stephen Plante, Anna Rice–Wright, Deborah Rivas, Randall K. Roshto, Patricia Samuelson, Andrea Shafran, Barbara A. Shafran, Stephen M. Shafran, Jr, Lauren Hoffman Taylor, Ryan Treat, James R. Wright (EQCCtrk)(Flowers, Jodi) (Entered: 02/02/2018)
02/02/2018	<u>165</u>		MOTION to Appoint Lead Counsel <i>of Consumer Plaintiffs Steering Committee and Co-Liaison Counsel</i> by Andrew Crow, Jeffrey Warren Dixon, Christian Duke, Andrea Friedman, David Horne, Greg Johns, Dori M. Mashburn, Kerri Murphy, Nida Samson, Mario Vice, Kirby Wilkins, Marc Zweig. (Attachments: # <u>1</u> Exhibit Ex. A, # <u>2</u> Exhibit Ex. B, # <u>3</u> Exhibit Ex. C, # <u>4</u> Exhibit Ex. D, # <u>5</u> Exhibit Ex. E, # <u>6</u> Exhibit Ex. F, # <u>7</u> Exhibit Ex. G, # <u>8</u> Exhibit Ex. H, # <u>9</u> Exhibit Ex. I)(EQACtrk)(Herman, John) (Entered: 02/02/2018)
02/02/2018	<u>166</u>		

			MOTION to Appoint Lead Counsel – <i>Application of Vincent J. Esades for Consumer Plaintiffs Lead Counsel or Alternatively, Consumer Plaintiffs Steering Committee</i> by Keri Bakken, Gustavo Carlo Sanchez, Christopher Ware. (Attachments: # <u>1</u> Exhibit A Resume)(EQCCtrk)(Esades, Vincent) (Entered: 02/02/2018)
02/02/2018	<u>167</u>		MOTION Application for Appointment of Buether Joe & Carpenter, LLC to Steering Committee by Derek Selders, Clint Thomson, Justin Williams. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(EQACtrk)(Joe, Christopher) (Entered: 02/02/2018)
02/02/2018	<u>168</u>		MOTION to Appoint Counsel <i>Dianne M. Nast to Serve in Leadership for the Consumer Track</i> with Brief In Support by Barbara Hensley. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Exhibit 1)(EQCCtrk)(Nast, Dianne) (Entered: 02/02/2018)
02/02/2018	<u>169</u>		MOTION to Appoint Lead Counsel <i>Melvin Hollowell For Consumer Plaintiffs' Steering Committee</i> by Justin Bakko. (Attachments: # <u>1</u> Exhibit A–The Miller Law Firm Resume)(EQCCtrk)(Miller, E.) (Entered: 02/02/2018)
02/02/2018	<u>170</u>		MOTION to Appoint Counsel <i>Jonathan W. Johnson to Plaintiffs' Steering Committee</i> by Sabina Bologna. (EQCCtrk)(Johnson, Jonathan) (Entered: 02/02/2018)
02/02/2018	<u>171</u>		MOTION to Appoint Lead Counsel <i>Application for Appointment of Michael A. Galpern as Lead Counsel for the Consumer Plaintiff Class</i> with Brief In Support by ALANA M. BRADLEY. (Attachments: # <u>1</u> Exhibit Exhibit A)(EQCCtrk)(Galpern, Michael) (Entered: 02/02/2018)
02/02/2018	<u>172</u>		MOTION to Appoint Lead Counsel <i>Spector, Roseman, &amp; Kodroff PC</i> with Brief In Support by Anthony Mirarchi. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(EQCCtrk)(Killorin, Robert) (Entered: 02/02/2018)
02/02/2018	<u>173</u>		MOTION to Appoint Lead Counsel <i>Joint Application of David S. Stone and Robert A. Magnanini of Stone &amp; Magnanini LLP for a Lead Counsel or Steering Committee Position</i> by MARK ISACOFF, ROBERT KOHN, SUSAN KOHN. (Attachments: # <u>1</u> Certificate of Service)(EQCCtrk)(STONE, DAVID) (Entered: 02/02/2018)
02/02/2018	<u>174</u>		MOTION to Appoint Counsel <i>Leslie L. Pescia to the Plaintiffs' Steering Committee</i> by Jerry Allen. (EQCCtrk)(Brashier, Andrew) (Entered: 02/02/2018)
02/02/2018	<u>175</u>		Withdrawal of Motion <u>174</u> MOTION to Appoint Counsel <i>Leslie L. Pescia to the Plaintiffs' Steering Committee</i> filed by Jerry Allen filed by Jerry Allen. (EQCCtrk)(Brashier, Andrew) (Entered: 02/02/2018)
02/02/2018	<u>176</u>		



			MOTION to Appoint Counsel <i>Application of Richard P. Rouco for Appointment to the Interim Steering Committee for the Consumer Plaintiff Class</i> by Sanjay Kumar Rajput, Jason Tepfenhart, Nicholas Tepfenhart. (Attachments: # <u>1</u> Exhibit Rouco Biography)(EQCCtrk)(Rouco, Richard) (Entered: 02/02/2018)
02/02/2018	<u>177</u>		NOTICE of Appearance by Michael Richard Cashman on behalf of John Benavidez, Veronika Benavidez, Brian A. Cadwallader, Jose Calderon, Mona Coade-Wingate, Marilyn Dorsey, Nicole Grafton, Robert Mobbs, Michael Nehring, Marty Super, York Taenzer, Barbara Westbrook, Cherie Williams (EQCCtrk)(Cashman, Michael) (Entered: 02/02/2018)
02/02/2018	<u>178</u>		MOTION to Appoint Counsel <i>Gary S. Graifman to Consumer Plaintiffs' Steering Committee</i> with Brief In Support by Elizabeth Chakan, Michael Gottesman, Solomon Hesney, William Thomas McHenry, David Pollack, Alison Suzanne Tracy. (Attachments: # <u>1</u> Exhibit A – Firm Bio)(EQACtrk)(Graifman, Gary) (Entered: 02/02/2018)
02/02/2018	<u>179</u>		NOTICE of Appearance by Jamisen Etzel on behalf of ASI Federal Credit Union, Army Aviation Center Federal Credit Union, Association of Vermont Credit Unions, Inc., Atlantic City Federal Credit Union, Aventa Credit Union, Bank of Louisiana, Bank of Zachary, California Credit Union League, Carolinas Credit Union League, Consumers Cooperative Credit Union, Credit Union League Of Connecticut, Credit Union National Association, D.L. Evans Bank, Durand State Bank, Elements Financial Federal Credit Union, Embark Credit Union, First Choice Federal Credit Union, First Education Federal Credit Union, First Financial Credit Union, First Nebraska Credit Union, Gerber Federal Credit Union, Greater Cincinnati Credit Union, Halliburton Employees Federal Credit Union, Heritage Federal Credit Union, ICUL Service Corporation, Illinois Credit Union League, Independent Community Bankers of America, Indiana Credit Union League, Jonah Bank of Wyoming, League of Southeastern Credit Unions & Affiliates, MD/DC Credit Union Association, Michigan Credit Union League, Minnesota Credit Union Network, Mississippi Credit Union League, Montana Credit Union League, Mountain West Credit Union Association, Nebraska Credit Union League, Nevada Credit Union League, New York Credit Union Association, Numark Credit Union, Ohio Credit Union League, Oteen VA Federal Credit Union, Pennsylvania Credit Union Association, Putnam Bank, Ravalli County Federal Credit Union, SELCO Community Credit Union, Services Credit Union, Seven Seventeen Credit Union, Sky Federal Credit Union, Texas First Bank, The First State Bank, UMassFive College Federal Credit Union, University of Louisiana Federal Credit Union, Virginia Credit Union

			League, Wright–Patt Credit Union (EQFIttk)(Etzel, Jamisen) (Entered: 02/02/2018)
02/02/2018	<u>180</u>		NOTICE of Appearance by Michael Richard Cashman on behalf of Cherie Williams (EQCCtrk)(Cashman, Michael) (Entered: 02/02/2018)
02/02/2018	<u>181</u>		MOTION to Appoint Counsel <i>to the Consumer Plaintiffs' Steering Committee</i> by Marty Super, York Taenzer, Barbara Westbrook, Cherie Williams. (Attachments: # <u>1</u> Exhibit Exhibit A, # <u>2</u> Exhibit Exhibit B, # <u>3</u> Exhibit Exhibit C, # <u>4</u> Exhibit Exhibit D)(EQCCtrk)(Cashman, Michael) (Entered: 02/02/2018)
02/02/2018	<u>182</u>		MOTION to Appoint Counsel <i>Benjamin L. Bailey of Bailey &amp; Glasser LLP, to Plaintiffs' Steering Committee for the Consumer Plaintiff Class</i> with Brief In Support by Philip Cole. (Attachments: # <u>1</u> Exhibit 1)(EQCCtrk)(Roddy, John) (Entered: 02/02/2018)
02/02/2018	<u>183</u>		Amended MOTION to Amend <u>172</u> MOTION to Appoint Lead Counsel <i>Spector, Roseman, &amp; Kodroff PC with inadvertently omitted Certificate of Service</i> , MOTION to Appoint Counsel with Brief In Support by Anthony Mirarchi. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(EQCCtrk)(Killorin, Robert) (Entered: 02/02/2018)
02/02/2018	<u>184</u>		MOTION to Appoint Counsel <i>Plaintiffs' Steering Committee</i> with Brief In Support by Candice Bethea. (Attachments: # <u>1</u> Exhibit)(EQCCtrk)(Bennett, Leonard) (Entered: 02/02/2018)
02/02/2018	<u>185</u>		MOTION to Appoint Lead Counsel by Marius Andreica, Derek Baumgardner, Jamie Benson, Russ Benson, Tim Borland, Chris Brown, Val Chekmazov, Peter Cooke, Michael Erickson, Emily Green, Walter Hinck, Kathleen Holly, Joshua Iron Wing, Gary Jaetzold, Patricia A. Koller, Margaret McCable, Daniel E. Oberst, James Peacock, Richard Poligan, Chad Roofener, Corree Roofener, Elisabeta Szekely, Kellie Williams, Michael Jay Williams. (Attachments: # <u>1</u> Exhibit A (Worley Resume), # <u>2</u> Exhibit B (Barnow Resume), # <u>3</u> Exhibit C (Blood Resume), # <u>4</u> Exhibit D (Bain Resume), # <u>5</u> Exhibit E (Executive Committee Resumes), # <u>6</u> Exhibit F (Supporting Counsel), # <u>7</u> Text of Proposed Order)(EQCCtrk)(Worley, David) (Entered: 02/02/2018)
02/02/2018	<u>186</u>		MOTION to Appoint Counsel <i>Of Branstetter, Stranch, and Jennings PLLC to Plaintiffs' Steering Committee for Consumer Actions</i> by Brian Cox, Jessica Cox. (Attachments: # <u>1</u> Exhibit Firm Resume of Branstetter, Stranch, and Jennings)(EQCCtrk)(Stranch, James) (Entered: 02/02/2018)
02/02/2018	<u>187</u>		MOTION to Appoint Lead Counsel with Brief In Support by Jerry Allen, Dean Armstrong, Eric Barber, Patricia Baxter,

		<p>Jaclyn Belland, Douglas Benz, Michael Bishop, Darlene Brown, Kody Campbell, Bridget Craney, Linda DeVore, Trevor Dorsey, Eileen Doten, Nancy Dublin, Abby Elliott, Kayla Ferrel, Terry Ford, Jasmine Guess, Vanuel Harris, Zacariah Hildenbrand, Robert Hunt, Tammy Jett, Joseph Creed Kelly, Manuel Lucero, Kathleen Lyons, Tanya Mack, Darin Marion, Christina Martell, Carlos Martinho, Craig Maxwell, Mary Hexter Money Penny, Gerald Muhammad, Glenntavius Nolan, Wayne Norris, Kyle Olson, Mel Orchard, III, Bruce Pascal, Mercedes Pillette, Alexandra Santana, Miche' Sharpe, Andrew Sheppe, Amie Smith, Mike Spicer, Mildred Sutton, Katherine Timmons, Lisa Tyree, Nicole Walker, Carolyn White, David White, Robert Wickens, Jennifer Wise, Kyoko Yamamoto. (Attachments: # <u>1</u> Exhibit 1: Structure of Barnes Canfield Group, # <u>2</u> Exhibit 2: Data Breach and Internet Privacy Experience, # <u>3</u> Exhibit 3: Canfield Resume, # <u>4</u> Exhibit 4: DLC Keller Levitt Resume, # <u>5</u> Exhibit 5: Siegel Resume, # <u>6</u> Exhibit 6: Barnes Resume, # <u>7</u> Exhibit 7: Friedman Resume, # <u>8</u> Exhibit 8: Gibbs Resume, # <u>9</u> Exhibit 9: Pizzirusso Resume, # <u>10</u> Exhibit 10: Tadler Resume, # <u>11</u> Exhibit 11: Yanchunis Resume, # <u>12</u> Exhibit 12: Strong Resume, # <u>13</u> Text of Proposed Order Appointing Leadership for Consumer Cases)(EQCCtrk)(Barnes, Roy) (Entered: 02/02/2018)</p>
02/02/2018	<u>188</u>	<p>MOTION to Appoint Counsel of <i>Scott Cole &amp; Associates to Plaintiff's Steering Committee</i> with Brief In Support by Andrew Galpern. (Attachments: # <u>1</u> Exhibit)(EQCCtrk)(Cole, Scott) (Entered: 02/02/2018)</p>
02/02/2018	<u>189</u>	<p>MOTION Application of the CUNA/ICBA Group to Serve As Co-Lead Counsel, Co-Liaison Counsel, and Plaintiffs Steering Committee for the Financial Institution Plaintiffs by ASI Federal Credit Union, Alcoa Community Federal Credit Union, Army Aviation Center Federal Credit Union, Association of Vermont Credit Unions, Inc., Atlantic City Federal Credit Union, Aventa Credit Union, Bank of Louisiana, Bank of Ripley, Bank of Zachary, California Credit Union League, Carolinas Credit Union League, Consumers Cooperative Credit Union, Credit Union League Of Connecticut, Credit Union National Association, D.L. Evans Bank, Durand State Bank, Elements Financial Federal Credit Union, Embark Credit Union, First Choice Federal Credit Union, First Education Federal Credit Union, First Financial Credit Union, First Nebraska Credit Union, Gerber Federal Credit Union, Greater Cincinnati Credit Union, Halliburton Employees Federal Credit Union, Heritage Federal Credit Union, ICUL Service Corporation, Illinois Credit Union League, Independent Community Bankers of America, Indiana Credit Union League, Jonah Bank of Wyoming, League of Southeastern Credit Unions &amp; Affiliates, MD/DC Credit Union Association, Michigan</p>

			Credit Union League, Minnesota Credit Union Network, Mississippi Credit Union League, Montana Credit Union League, Mountain West Credit Union Association, Nebraska Credit Union League, Nevada Credit Union League, New York Credit Union Association, Numark Credit Union, Ohio Credit Union League, Oteen VA Federal Credit Union, Pennsylvania Credit Union Association, Putnam Bank, Ravalli County Federal Credit Union, SELCO Community Credit Union, Services Credit Union, Seven Seventeen Credit Union, Sky Federal Credit Union, State Employees Federal Credit Union, Summit Credit Union, Suncoast Credit Union, Texas First Bank, The First State Bank, UMassFive College Federal Credit Union, Virginia Credit Union League, Washington Gas Light Federal Credit Union, Wisconsin Credit Union League, Wright–Patt Credit Union. (Attachments: # <u>1</u> Affidavit Declaration of Joseph P. Guglielmo in Support of the CUNA/ICBA Groups Leadership Application, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12)(EQFItrk)(Gillen, Craig) (Entered: 02/02/2018)
02/02/2018	<u>190</u>		MOTION to Appoint Lead Counsel <i>Application of Jeremiah Frei–Pearson for Consumer Plaintiffs Lead Counsel or Alternatively, Consumer Plaintiffs Steering Committee</i> with Brief In Support by LaShawn Brown, Dallas Perkins, Jeffrey Pryor, Kenneth Yoeckel. (Attachments: # <u>1</u> Exhibit A – FBFG Firm Resume)(EQCCtrk)(Frei–Pearson, Jeremiah) (Entered: 02/02/2018)
02/02/2018	<u>191</u>		MOTION to Appoint Lead Counsel <i>Application of the Atlanta Group for Co–Lead Counsel, Plaintiffs' Steering Committee, and Liaison Counsel for the Financial Institution Plaintiffs</i> with Brief In Support by ANECA Federal Credit Union, Alabama Teachers Credit Union, First Castle Federal Credit Union, Fort McClellan Credit Union, Gulf Winds Federal Credit Union, South Florida Federal Credit Union, Southwest Louisiana Credit Union, University of Louisiana Federal Credit Union. (Attachments: # <u>1</u> Exhibit A – Declaration of Michael L. McGlamry, # <u>2</u> Exhibit B – Conley Griggs Partin LLP Firm Resume for Co–Lead Counsel, # <u>3</u> Exhibit C – Liaison Counsel – Sutton Connelly, # <u>4</u> Exhibit D – Pittman Dutton & Hellums Firm Resume, # <u>5</u> Exhibit E – Declaration of LeeAnn Jones, # <u>6</u> Exhibit F – Cory Watson P.C. – Firm Profile, # <u>7</u> Exhibit G – Robert Kaplan, # <u>8</u> Exhibit H – Declaration of Craig E. Bertschi, # <u>9</u> Exhibit I – Cooper Kirk firm resume)(EQFItrk)(McGlamry, Michael) (Entered: 02/02/2018)
02/02/2018	<u>192</u>		MOTION to Appoint Counsel <i>Steering Committee</i> with Brief In Support by ALL PLAINTIFFS. (Attachments: # <u>1</u>

			Exhibit A)(EQCctrk)(Hemphill, Craig) (Entered: 02/02/2018)
02/02/2018	<u>193</u>		APPLICATION OF ROSEMARY M. RIVAS AND JUDITH H. GERMANO FOR APPOINTMENT AS PLAINTIFFS CO-LEAD COUNSEL, OR IN THE ALTERNATIVE, TO THE PLAINTIFFS STEERING COMMITTEE with Brief In Support by Bob Helton, Maria Schifano, LA' Sohn Smith, Heather Waitman. (Attachments: # <u>1</u> Exhibit A – Levi & Korsinsky, LLP's Firm Resume, # <u>2</u> Exhibit B – GermanoLaw LLC 's Firm Resume)(EQCctrk)(Rivas, Rosemary) Modified on 2/5/2018 (jkl). (Entered: 02/02/2018)
02/02/2018	<u>194</u>		First MOTION to Appoint Counsel <i>CORBOY &amp; DEMETRIO, P.C.</i> with Brief In Support by Karl Gordon Eikost, Jody Meyers, Scott Meyers. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(EQCctrk)(Lumb, Kenneth) (Entered: 02/02/2018)
02/02/2018	<u>195</u>		MOTION TO APPOINT Robert C. Schubert of Schubert Jonckheer & Kolbe LLP to Plaintiffs' Steering Committee for the Consumer Actions with Brief In Support by Asha Goldweber. (EQCctrk)(Schubert, Robert) Modified on 2/5/2018 (jkl). (Entered: 02/02/2018)
02/02/2018	<u>196</u>		NOTICE of Appearance by Julie Braman Kane on behalf of Jennifer Tweeddale. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-05369-TWT(EQACtrk)(jkl) (Entered: 02/05/2018)
02/02/2018	<u>197</u>		NOTICE of Appearance by John Barrett on behalf of Philip Cole. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-05015-TWT(EQACtrk)(jkl) (Entered: 02/05/2018)
02/02/2018	<u>198</u>		NOTICE of Appearance by Benjamin Bailey on behalf of Philip Cole. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-05015-TWT(EQACtrk)(jkl) (Entered: 02/05/2018)
02/02/2018	<u>200</u>		<b>DUPLICATE ENTRY, DOCKETED IN ERROR – SEE <u>145</u> APPLICATION FOR APPOINTMENT OF TROY N. GIATRAS TO THE STEERING COMMITTEE FOR THE CONSUMER PLAINTIFF CLASS. (EQCctrk)(jkl) Modified on 2/8/2018 (jkl). (Entered: 02/05/2018)</b>
02/02/2018	<u>201</u>		<b>DUPLICATE – see <u>156</u> APPLICATION OF ROSALEE B.C. THOMAS AND FINKELSTEIN THOMPSON LLP FOR APPOINTMENT TO PLAINTIFFS' STEERING COMMITTEE. (EQACtrk)(jkl) Modified on 2/8/2018 (jkl). (Entered: 02/05/2018)</b>
02/02/2018	<u>202</u>		APPLICATION OF JULIE BRAMAN KANE FOR APPOINTMENT TO PLAINTIFFS' STEERING COMMITTEE-CONSUMER TRACK. (EQCctrk)(jkl)



			(Entered: 02/05/2018)
02/05/2018	<u>203</u>		MEMORANDUM OF LAW IN SUPPORT OF BURSAR & FISHER, P.A.'S APPLICATION FOR A POSITION ON THE STEERING COMMITTEE FOR THE CONSUMER TRACK. (EQCCtrk)(jkl) (Entered: 02/05/2018)
02/05/2018	<u>204</u>		NOTICE of Appearance by Natasha N. Serino on behalf of Nathan Turner (EQCCtrk)(Serino, Natasha) (Entered: 02/05/2018)
02/05/2018	<u>205</u>		Unopposed Motion to Bring Audio/Visual/Electronic Equipment in the Courtroom by Justin Bakko. (Attachments: # <u>1</u> Text of Proposed Order)(EQACtrk)(Almonrode, Sharon) (Entered: 02/05/2018)
02/05/2018	<u>206</u>		NOTICE of Appearance of Kevin W. Tucker on behalf of Atlantic City Federal Credit Union, Elements Financial Federal Credit Union, First Nebraska Credit Union, Putnam Bank, Wright-Patt Credit Union, Association of Vermont Credit Unions, Inc., California Credit Union League, Carolinas Credit Union League, Consumers Cooperative Credit Union, Embark Credit Union, Indiana Credit Union League, League of Southeastern Credit Unions & Affiliates, Mississippi Credit Union League, Montana Credit Union League, Mountain West Credit Union Association, Nevada Credit Union League, Numark Credit Union, Pennsylvania Credit Union Association, Ravalli County Federal Credit Union, Gerber Federal Credit Union, Illinois Credit Union League, Minnesota Credit Union Network, Nebraska Credit Union League, New York Credit Union Association, Ohio Credit Union League, Oteen VA Federal Credit Union, SELCO Community Credit Union, Virginia Credit Union League, MD/DC Credit Union Association, Sky Federal Credit Union, University of Louisiana Federal Credit Union(individually and on behalf of a class of all similarly situated financial institutions), Bank of Zachary, Independent Community Bankers of America, The First State Bank, ASI Federal Credit Union, First Education Federal Credit Union, Michigan Credit Union League, Durand State Bank, Jonah Bank of Wyoming, Credit Union League Of Connecticut, First Financial Credit Union, Halliburton Employees Federal Credit Union, Seven Seventeen Credit Union, D.L. Evans Bank, Texas First Bank, Army Aviation Center Federal Credit Union, Credit Union National Association, Greater Cincinnati Credit Union, Aventa Credit Union, Bank of Louisiana, First Choice Federal Credit Union Associated Cases: 1:17-md-02800-TWT et al.(EQFItrk)(jkl) (Entered: 02/06/2018)
02/06/2018	<u>207</u>		NOTICE of Appearance by MaryBeth Vassil Gibson on behalf of Cooperative Credit Union Association, Inc., Heartland Credit Union Association (EQFItrk)(Gibson,

			MaryBeth) (Entered: 02/06/2018)
02/06/2018	<u>208</u>		NOTICE of Appearance of Nicole Jo Moss on behalf of South Florida Federal Credit Union. Associated Cases: 1:17-md-02800-TWT, 1:18-cv-00119-TWT(EQFItrk)(jkl) (Entered: 02/06/2018)
02/06/2018	<u>209</u>		Motion to Bring Audio/Visual/Electronic Equipment in the Courtroom by David Batten, Candice Bethea, Kathryn Bledsoe, Marilyn Bledsoe, Matthew Bledsoe, Susan Chandler, Corinne Cooper, Robert Cornett, Donna DeConcini, Lisa Gladwell, Daniel J. Mann, Sharon Morgan, Hayden D Parkhill, Michael Pugh, Morgan Rutherford, David Wood, Christopher Zarpas. (Attachments: # <u>1</u> Exhibit Exhibit "A", # <u>2</u> Text of Proposed Order, # <u>3</u> Exhibit Exhibit "A')(EQCCtrk)(Bennett, Leonard) Modified on 2/7/2018 (jkl). (Entered: 02/06/2018)
02/06/2018	<u>210</u>		ORDER ALLOWING AUDIO/VISUAL AND OTHER COMPUTER EQUIPMENT IN THE COURTROOM on 2/9/2018 at 10:00 a.m. Signed by Judge Thomas W. Thrash, Jr on 2/6/2018. (EQACtrk)(ss) (Entered: 02/06/2018)
02/06/2018	<u>211</u>		ORDER ALLOWING AUDIO/VISUAL OR OTHER COMPUTER EQUIPMENT IN THE COURTROOM on 2/9/2018 at 10:00 a.m. Signed by Judge Thomas W. Thrash, Jr on 2/6/2018. (EQACtrk)(ss) (Entered: 02/06/2018)
02/06/2018	<u>212</u>		NOTICE of Appearance by Jason R. Doss on behalf of Richard Alexander, Akbar Ali, Poonam Ali, Dawn Lea Chalmers, Michael Chase, Chaselight, LLC, Coastal Communications, LLC, Rahul Faruqi, Forest Express Properties, LLC, Jelli Donuts, LLC, Jus Rev, LLC, Kademi, LLC, Angela M. Krout, Teresa Sue Martin, William Marvin Martin, Jr, Martin's Auto Repair, Mojo Mama's LLC, Jeff Newkirk, Justin O'Dell, O'Dell & O'Neal, P.C., O'Dell Properties, LLC, One Cent Lane, LLC, Oshik Perez, Pierce N Tell of Sarasota, LLC, Rafco, LLC, Reevney St. Luc, Superior Services Investment Group, LLC, The Mello Group, Inc., Chris Williams, Bridgette Young, Young's Distributing Co., Inc. (EQACtrk)(Doss, Jason) (Entered: 02/06/2018)
02/06/2018	<u>213</u>		Motion to Bring Audio/Visual/Electronic Equipment in the Courtroom <i>for Small Business Plaintiffs' Counsel</i> with Brief In Support by Richard Alexander, Akbar Ali, Poonam Ali, Dawn Lea Chalmers, Michael Chase, Chaselight, LLC, Coastal Communications, LLC, Rahul Faruqi, Forest Express Properties, LLC, Jelli Donuts, LLC, Jus Rev, LLC, Kademi, LLC, Angela M. Krout, Teresa Sue Martin, William Marvin Martin, Jr, Martin's Auto Repair, Mojo Mama's LLC, Jeff Newkirk, Justin O'Dell, O'Dell & O'Neal, P.C., O'Dell Properties, LLC, One Cent Lane, LLC, Oshik Perez, Pierce N Tell of Sarasota, LLC, Rafco, LLC, Reevney

			St. Luc, Superior Services Investment Group, LLC, The Mello Group, Inc., Chris Williams, Bridgette Young, Young's Distributing Co., Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(EQACtrk)(Doss, Jason) Modified on 2/7/2018 (jkl). (Entered: 02/06/2018)
02/07/2018	<u>214</u>		NOTICE of Appearance by Wesley Martin Mullen on behalf of Jose Atilas, Lauren Solin (EQCCtrk)(Mullen, Wesley) (Entered: 02/07/2018)
02/07/2018	<u>215</u>		NOTICE of Appearance by Christopher Sutton Connelly on behalf of South Florida Federal Credit Union (EQFitrk)(Connolly, Christopher) (Entered: 02/07/2018)
02/07/2018	<u>216</u>		SUPPLEMENT to <u>163</u> MOTION to Appoint Lead Counsel <i>Jason R. Doss, Counsel for Small Business Plaintiffs, As Co-Lead Counsel for Consumer Plaintiff Class</i> with Brief In Support by Richard Alexander, Akbar Ali, Poonam Ali, Dawn Lea Chalmers, Michael Chase, Chaselight, LLC, Coastal Communications, LLC, Rahul Faruqi, Forest Express Properties, LLC, Jelli Donuts, LLC, Jus Rev, LLC, Kademi, LLC, Angela M. Krout, Teresa Sue Martin, William Marvin Martin, Jr, Martin's Auto Repair, Mojo Mama's LLC, Jeff Newkirk, Justin O'Dell, O'Dell & O'Neal, P.C., O'Dell Properties, LLC, One Cent Lane, LLC, Oshik Perez, Pierce N Tell of Sarasota, LLC, Rafco, LLC, Reevney St. Luc, Superior Services Investment Group, LLC, The Mello Group, Inc., Chris Williams, Bridgette Young, Young's Distributing Co., Inc.. (Attachments: # <u>1</u> Exhibit Exhibit 1)(EQCCtrk)(Doss, Jason) Modified on 2/7/2018 to terminate motion per direction of Chambers (jkl). (Entered: 02/07/2018)
02/07/2018	<u>217</u>		NOTICE of Appearance by Rosalee B.C. Thomas on behalf of Malcolm B Feied (EQACtrk)(Thomas, Rosalee) (Entered: 02/07/2018)
02/07/2018	<u>220</u>		NOTICE of Appearance of Sarah N. Westcot on behalf of Victor Zamora. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-05062-TWT(EQCCtrk)(jkl) (Entered: 02/08/2018)
02/08/2018	<u>218</u>		ORDER ALLOWING AUDIO/VISUAL AND OTHER COMPUTER EQUIPMENT IN THE COURTROOM on 2/9/2018 at 10:00 a.m. Signed by Judge Thomas W. Thrash, Jr on 2/8/2018. (EQACtrk)(ss) (Entered: 02/08/2018)
02/08/2018	<u>219</u>		ORDER ALLOWING AUDIO/VISUAL AND OTHER COMPUTER EQUIPMENT IN THE COURTROOM on 2/9/2018 at 10:00 a.m. Signed by Judge Thomas W. Thrash, Jr on 2/8/2018. (EQACtrk)(ss) (Entered: 02/08/2018)
02/08/2018	<u>221</u>		ORDER the hearing on Applications for Plaintiffs Leadership Positions set 10:00 a.m. on February 9, 2018. The Court will hear from counsel in the order in which the applications appear on the public docket. In order for



			everyone to be heard tomorrow, counsel must be brief. There will be no rebuttals or replies. Signed by Judge Thomas W. Thrash, Jr on 2/8/2018. (EQACtrk)(ss) (Entered: 02/08/2018)
02/08/2018	<u>222</u>		Consent MOTION for Order <i>to Lift Restrictions on Media</i> by Jasmine Chenault. (Attachments: # <u>1</u> Text of Proposed Order)(EQACtrk)(Clark, Robin) (Entered: 02/08/2018)
02/08/2018	<u>223</u>		NOTICE of Appearance by Troy N. Giatras on behalf of BRENDA BIRKETT(Individually and on behalf of all others similarly situated), Debra Lee, Rodd Santomauro (EQACtrk)(Giatras, Troy) (Entered: 02/08/2018)
02/08/2018	<u>224</u>		NOTICE of Appearance by Julie Braman Kane on behalf of Jennifer Tweeddale (EQCCtrk)(Kane, Julie) (Entered: 02/08/2018)
02/08/2018	<u>225</u>		ORDER ALLOWING AUDIO/VISUAL AND OTHER COMPUTER EQUIPMENT IN THE COURTROOM on 2/9/2018 at 10:00 a.m. Signed by Judge Thomas W. Thrash, Jr on 2/8/2018. (EQACtrk)(ss) (Entered: 02/08/2018)
02/08/2018	<u>226</u>		Motion to Bring Audio/Visual/Electronic Equipment in the Courtroom by MARK ISACOFF, ROBERT KOHN, SUSAN KOHN. (Attachments: # <u>1</u> Text of Proposed Order)(EQACtrk)(KANTERMAN, JASON) (Entered: 02/08/2018)
02/08/2018	<u>228</u>		NOTICE of Appearance by Shannon F. Nocon on behalf of Nathan Turner. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-05241-TWT(EQCCtrk)(jkl) (Entered: 02/09/2018)
02/09/2018	<u>227</u>		CONDITIONAL TRANSFER ORDER CTO-9 from the Judicial Panel on Multidistrict Litigation. (EQACtrk)(jkl) (Entered: 02/09/2018)
02/09/2018	<u>229</u>		Minute Entry for proceedings held before Judge Thomas W. Thrash, Jr: Motion Hearing held on 2/9/2018 on all motions/applications for appointment of a leadership position for plaintiffs. The Court heard from all applicants that appeared and will issue a written order as soon as possible. (Court Reporter Susan Baker)(EQACtrk)(ss) (Entered: 02/09/2018)
02/09/2018	<u>231</u>		NOTICE of Appearance by Frederick T. Kuykendall, III on behalf of Jasmine Chenault. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03764-TWT(EQCCtrk)(jkl) (Entered: 02/12/2018)
02/12/2018	<u>230</u>		TRANSCRIPT of the Hearing on Applications for Leadership Positions Proceedings held on February 9, 2018, before Judge Thomas W. Thrash, Jr. Court Reporter/Transcriber Susan C. Baker, Telephone number 404-215-1558. Transcript may be viewed at the court public

			terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 3/5/2018. Redacted Transcript Deadline set for 3/15/2018. Release of Transcript Restriction set for 5/14/2018. (Attachments: # <u>1</u> Notice of Filing of Official Transcript) (EQCCtrk)(kac) (Entered: 02/12/2018)
02/12/2018	<u>232</u>		ORDER appointing the following leadership: Consumer Plaintiffs Co-Lead Counsel: Kenneth S. Canfield, Amy E. Keller, Norman E. Siegel; Consumer Plaintiffs' Co-Liaison Counsel: Roy E. Barnes, David J. Worley; Consumer Plaintiffs' Steering Committee: Andrew N. Friedman, Eric H. Gibbs, James Pizzirusso, Ariana Tadler, John A. Yanchunis, William H. Murphy, III, Jason R. Doss; Consumer Plaintiffs' State Court Coordinating Counsel: Rodney K. Strong; Co-Interim Consumer Class Counsel: The Consumer Plaintiffs Co-Lead Counsel and Co-Liaison Counsel are also hereby designated as Co-Interim Consumer Class Counsel pursuant to Rule 23(g) to act on behalf of a putative class before determining whether to certify the action as a class action. Financial Institution Plaintiffs Co-Lead Counsel: Joseph P. Guglielmo, Gary F. Lynch; Financial Institution Plaintiffs' Co-Liaison Counsel: Craig A. Gillen, MaryBeth V. Gibson, Ranse M. Partiiin; Financial Institution Plaintiffs' Steering: Arthur M. Murray, Stacey P. Slaughter, Charles Hale Van Horn, Joseph Henry (Hank) Bates, III, Bryan L. Bleichne, Karen H. Riebel, Karen S. Halbert, Brian G. Gudmondson. Duties of Co-Lead Counsel, Co-Liaison Counsel, Steering Committees, Consumer Plaintiffs' State Court Coordinating Counsel, and Other Responsibilities of all counsel are detailed within the order regarding daily record of their time spent and expenses incurred in connection with this litigation and must report on a monthly basis their expenses and hours worked to Co-Lead and Co-Liaison Counsel. On a quarterly basis, beginning on April 30, 2018, and thereafter on the last business day of each July, October, January, and April, Co-Lead and Co-Liaison Counsel shall submit to the Court in camera reports reflecting hours billed in this matter by all Plaintiffs counsel. Signed by Judge Thomas W. Thrash, Jr on 2/12/2018. (EQACtrk)(ss) (Entered: 02/12/2018)
02/12/2018	<u>233</u>		NOTICE of Appearance by John A. Yanchunis on behalf of James McGonnigal, Brian F. Spector (EQCCtrk)(Yanchunis, John) (Entered: 02/12/2018)
02/12/2018	<u>234</u>		NOTICE of Appearance by Erik Swen Syverson on behalf of Carson Block Associated Cases: 1:17-md-02800-TWT, 1:17-cv-05341-TWT(EQCCtrk)(jkl) (Entered: 02/14/2018)
02/23/2018	<u>235</u>		

			NOTICE of Hearing: Status Conference with Lead and Liaison counsel set for 4/3/2018 at 10:00 AM in ATLA Courtroom 2108 before Judge Thomas W. Thrash Jr.. (EQACtrk)(ss) (Entered: 02/23/2018)
03/02/2018	<u>236</u>		NOTICE of Appearance by Mike Miller on behalf of Angela Hamre, Isaac Tadros (EQACtrk)(Miller, Mike) (Entered: 03/02/2018)
03/02/2018	<u>237</u>		NOTICE of Appearance by Todd Michael Miller on behalf of Angela Hamre, Isaac Tadros (EQACtrk)(Miller, Todd) (Entered: 03/02/2018)
03/02/2018	<u>238</u>		Unopposed Motion to Lift Restrictions on Media by Cooperative Credit Union Association, Inc., Heartland Credit Union Association. (Attachments: # <u>1</u> Proposed Order)(EQACtrk)(Gibson, MaryBeth) Modified on 3/5/2018 (jkl). (Entered: 03/02/2018)
03/06/2018	<u>239</u>		ORDER ALLOWING AUDIO/VISUAL OR OTHER COMPUTER EQUIPMENT IN THE COURTROOM on 4/3/2018 at 10:00 a.m. Signed by Judge Thomas W. Thrash, Jr on 3/5/2018. (EQFitrk)(ss) (Entered: 03/06/2018)
03/06/2018	<u>240</u>		<b>CONDITIONAL TRANSFER ORDER CTO-10 from the Judicial Panel on Multidistrict Litigation.</b> (EQACtrk)(jkl) (Entered: 03/06/2018)
03/06/2018	<u>241</u>		MOTION to Withdraw Shanon J. Carson as Attorneyby Joseph Clark, Meghan Clark, Ruth Reyes. (EQACtrk)(Carson, Shanon) (Entered: 03/06/2018)
03/07/2018	<u>242</u>		MOTION to Withdraw Sarah L. Rickard as Attorneyby Imtiyaz Dhuka, Abuzar Dhukka, Imtiaz Maredia, Mumtaz Maredia, Kevin Putegnat, Nydia Putegnat. (Attachments: # <u>1</u> Text of Proposed Order)(EQCCtrk)(Rickard, Sarah) (Entered: 03/07/2018)
03/12/2018	<u>243</u>		NOTICE of Appearance by Hal D. Cunningham on behalf of Gerber Federal Credit Union, Illinois Credit Union League, Minnesota Credit Union Network, Nebraska Credit Union League, New York Credit Union Association, Ohio Credit Union League, Oteen VA Federal Credit Union, SELCO Community Credit Union, Virginia Credit Union League, MD/DC Credit Union Association, Sky Federal Credit Union, University of Louisiana Federal Credit Union(individually and on behalf of a class of all similarly situated financial institutions), Cooperative Credit Union Association, Inc., Heartland Credit Union Association, ASI Federal Credit Union, First Education Federal Credit Union, Michigan Credit Union League, SeaComm Federal Credit Union, The Summit Federal Credit Union, Credit Union League Of Connecticut, First Financial Credit Union, Halliburton Employees Federal Credit Union, Seven Seventeen Credit Union, Army Aviation Center Federal

			Credit Union, Credit Union National Association, Greater Cincinnati Credit Union, Heritage Federal Credit Union, ICUL Service Corporation, Services Credit Union, UMassFive College Federal Credit Union, Atlantic City Federal Credit Union, Elements Financial Federal Credit Union, First Nebraska Credit Union, Putnam Bank, Wright-Patt Credit Union, Association of Vermont Credit Unions, Inc., California Credit Union League, Carolinas Credit Union League, Consumers Cooperative Credit Union, Embark Credit Union, Indiana Credit Union League, League of Southeastern Credit Unions & Affiliates, Mississippi Credit Union League, Montana Credit Union League, Mountain West Credit Union Association, Nevada Credit Union League, Numark Credit Union, Pennsylvania Credit Union Association, Ravalli County Federal Credit Union, Bank of Zachary, Independent Community Bankers of America, The First State Bank, Durand State Bank, D.L. Evans Bank, Texas First Bank, Jonah Bank of Wyoming, Aventa Credit Union, Bank of Louisiana, First Choice Federal Credit Union Associated Cases: 1:17-md-02800-TWT et al.(EQFitrk)(jkl) (Entered: 03/13/2018)
03/14/2018	<u>244</u>		PROPOSED ORDER [Proposed] Case Management Order No. 3. (Attachments: # <u>1</u> Exhibit A)(EQACtrk)(Keller, Amy) (Entered: 03/14/2018)
03/16/2018	<u>245</u>		NOTICE of Voluntary Dismissal filed by Bernadette Beekman, Douglas Diamond, James Freeman-Hargis, Elizabeth Twitchell (EQCCtrk)(Bain, David) (Entered: 03/16/2018)
03/16/2018			Clerk's Entry of Dismissal APPROVING (16 in 1:17-cv-03492-TWT) Notice of Voluntary Dismissal, (245 in 1:17-md-02800-TWT) Notice of Voluntary Dismissal pursuant to Fed.R.Civ.P.41(a)(1)(i). Bernadette Beekman, Elizabeth Twitchell, James Freeman-Hargis, and Douglas Diamond are terminated as plaintiffs. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03492-TWT(EQCCtrk)(jkl) (Entered: 03/16/2018)
03/19/2018	<u>246</u>		CONDITIONAL TRANSFER ORDER CTO-11 from the Judicial Panel on Multidistrict Litigation. (EQACtrk)(jkl) (Entered: 03/19/2018)
03/20/2018	<u>247</u>		CONDITIONAL TRANSFER ORDER CTO-12 from the Judicial Panel on Multidistrict Litigation. All counts except the Ninth cause of action in this action, which is the only count that relates to the recent Equifax data breach, are separated and simultaneously remanded to the Eastern District of California. Modified on 4/16/2019 to amend docket text (jdb). (EQACtrk)(jkl) (Entered: 03/20/2018)
03/23/2018	<u>248</u>		

			CASE MANAGEMENT ORDER No. 3. Signed by Judge Thomas W. Thrash, Jr on 3/20/18. Associated Cases: 1:17-md-02800-TWT et al.(EQACtrk)(ddm) (Entered: 03/23/2018)
03/23/2018	<u>249</u>		STATUS REPORT <i>Joint Status Report Regarding Preliminary Report and Discovery Plan</i> by ALL PLAINTIFFS. (EQACtrk)(Keller, Amy) (Entered: 03/23/2018)
03/26/2018	<u>250</u>		JOINT PRELIMINARY REPORT AND DISCOVERY PLAN filed by ALL PLAINTIFFS. (Attachments: # <u>1</u> Exhibit A)(EQACtrk)(Keller, Amy) Modified on 4/3/2018 (ss). See document 255 for corrected Joint Preliminary Report and Discovery Plan. (Entered: 03/26/2018)
03/29/2018			Submission of <u>241</u> MOTION to Withdraw Shanon J. Carson as Attorney, <u>242</u> MOTION to Withdraw Sarah L. Rickard as Attorney to District Judge Thomas W. Thrash. (EQCCtrk)(jkl) (Entered: 03/29/2018)
03/30/2018	<u>251</u>		Consent Motion to Bring Audio/Visual/Electronic Equipment in the Courtroom . (Attachments: # <u>1</u> Text of Proposed Order)(EQACtrk)(Worley, David) (Entered: 03/30/2018)
03/30/2018	<u>252</u>		ORDER granting <u>251</u> Motion to Bring Audio/Visual/Electronic and other computer Equipment in the Courtroom on 4/3/2018 at 10:00 a.m.. Signed by Judge Thomas W. Thrash, Jr on 3/30/2018. (EQACtrk)(ss) (Entered: 03/30/2018)
03/30/2018	<u>253</u>		PROPOSED ORDER Proposed Case Management Order No. 4 (Discovery Protocol). (EQACtrk)(Keller, Amy) (Entered: 03/30/2018)
03/30/2018	<u>254</u>		STATUS REPORT <i>Regarding Stipulated Protective Order</i> by ALL PLAINTIFFS. (EQACtrk)(Keller, Amy) (Entered: 03/30/2018)
04/02/2018	<u>255</u>		Amended JOINT PRELIMINARY REPORT AND DISCOVERY PLAN filed by ALL PLAINTIFFS. (Attachments: # <u>1</u> Exhibit A)(EQACtrk)(Keller, Amy) (Entered: 04/02/2018)
04/02/2018	<u>256</u>		ORDER granting <u>241</u> Motion to Withdraw as Attorney. Attorney Shanon J. Carson terminated. Signed by Judge Thomas W. Thrash, Jr on 4/2/2018. (EQCCtrk)(jkl) Modified on 4/2/2018 to correct motion link(jkl). (Entered: 04/02/2018)
04/02/2018	<u>257</u>		ORDER granting <u>242</u> Motion to Withdraw as Attorney. Attorney Sarah L. Rickard terminated. Signed by Judge Thomas W. Thrash, Jr. on 4/2/2018. (EQCCtrk)(jkl) (Entered: 04/02/2018)

04/02/2018			Notification of Docket Correction – Sarah L.Rickard terminated (Andrew Kochanowski continues as counsel) re <u>257</u> Order on Motion to Withdraw as Attorney. (EQCctrk)(jkl) M (Entered: 04/02/2018)
04/02/2018	<u>258</u>		PROPOSED ORDER Stipulated Protective Order. (EQACtrk)(Haskins, Sidney) (Entered: 04/02/2018)
04/03/2018	<u>259</u>		Minute Entry for proceedings held before Judge Thomas W. Thrash, Jr: Status Conference held on 4/3/2018. Mr. Harrod to file motion regarding limited lifting of PSLRA stay and permission to serve document preservation subpoenas on third parties. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03463-TWT(Court Reporter Susan Baker)(EQACtrk)(jkl) (Entered: 04/03/2018)
04/04/2018	<u>260</u>		APPROVAL SCHEDULING ORDER: re: <u>255</u> Corrected Joint Preliminary Report and Discovery Plan as detailed in the report. Signed by Judge Thomas W. Thrash, Jr on 4/3/2018. (EQACtrk)(ss) (Entered: 04/04/2018)
04/04/2018	<u>261</u>		CASE MANAGEMENT ORDER NO. 4 (Discovery Protocol). Signed by Judge Thomas W. Thrash, Jr on 4/3/2018. (EQACtrk)(ss) (Entered: 04/04/2018)
04/04/2018	<u>262</u>		Stipulated PROTECTIVE ORDER. Signed by Judge Thomas W. Thrash, Jr on 4/3/2018. (EQACtrk)(ss) (Entered: 04/04/2018)
04/04/2018	<u>263</u>		NOTICE of Hearing: Status Conference set for 5/22/2018 at 02:00 PM in ATLA Courtroom 2108 before Judge Thomas W. Thrash Jr.. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03463-TWT(EQACtrk)(ss) (Entered: 04/04/2018)
04/04/2018	<u>264</u>		NOTICE by ALL PLAINTIFFS <i>of Service of Preservation Subpoena to be Issued to Bank of America Corporation</i> (EQACtrk)(Gibson, MaryBeth) Modified on 4/5/2018 (jkl). (Entered: 04/04/2018)
04/04/2018	<u>265</u>		NOTICE by ALL PLAINTIFFS <i>of Service of Preservation Subpoena to be Issued to Bank of America, National Association</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/04/2018)
04/04/2018	<u>266</u>		NOTICE by ALL PLAINTIFFS <i>of Service of Preservation Subpoena to be Issued to Capital One Bank (USA), National Association</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/04/2018)
04/04/2018	<u>267</u>		NOTICE by ALL PLAINTIFFS <i>of Service of Preservation Subpoena to be Issued to Consumer Protection Bureau</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/04/2018)
04/04/2018	<u>268</u>		NOTICE by ALL PLAINTIFFS <i>of Service of Preservation Subpoena to be Issued to Experian Information Solutions</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/04/2018)



04/04/2018	<u>269</u>		NOTICE by ALL PLAINTIFFS of Service of Preservation Subpoena to be Issued to Federal trade Commission Southeast Region (EQACtrk)(Gibson, MaryBeth) (Entered: 04/04/2018)
04/04/2018	<u>270</u>		NOTICE by ALL PLAINTIFFS of Service of Preservation Subpoena to be Issued to Federal Trade Commission (EQACtrk)(Gibson, MaryBeth) (Entered: 04/04/2018)
04/04/2018	<u>271</u>		NOTICE by ALL PLAINTIFFS of Service of Preservation Subpoena to be Issued to House Committee on Energy and Commerce (EQACtrk)(Gibson, MaryBeth) (Entered: 04/04/2018)
04/04/2018	<u>272</u>		NOTICE by ALL PLAINTIFFS of Service of Preservation Subpoena to be Issued to Innovis Data Solutions, Inc. (EQACtrk)(Gibson, MaryBeth) (Entered: 04/04/2018)
04/04/2018	<u>273</u>		NOTICE by ALL PLAINTIFFS of Service of Preservation Subpoena to be Issued to MicroBuilt Corporation (EQACtrk)(Gibson, MaryBeth) (Entered: 04/04/2018)
04/04/2018	<u>274</u>		NOTICE by ALL PLAINTIFFS of Service of Preservation Subpoena to be Issued to MicroBuilt Merchant Services, Inc. (EQACtrk)(Gibson, MaryBeth) (Entered: 04/04/2018)
04/04/2018	<u>275</u>		NOTICE by ALL PLAINTIFFS of Service of Preservation Subpoena to be Issued to PCI Security Standards Council (EQACtrk)(Gibson, MaryBeth) (Entered: 04/04/2018)
04/04/2018	<u>276</u>		NOTICE by ALL PLAINTIFFS of Service of Preservation Subpoena to be issued to SailPoint Technologies Holdings, Inc. (EQACtrk)(Gibson, MaryBeth) (Entered: 04/04/2018)
04/04/2018	<u>277</u>		NOTICE by ALL PLAINTIFFS of Service of Preservation Subpoena to be Issued to SailPoint Technologies, Inc. (EQACtrk)(Gibson, MaryBeth) (Entered: 04/04/2018)
04/04/2018	<u>278</u>		NOTICE by ALL PLAINTIFFS of Service of Preservation Subpoena to be Issued to Security Metrics, Inc. (EQACtrk)(Gibson, MaryBeth) (Entered: 04/04/2018)
04/04/2018	<u>279</u>		NOTICE by ALL PLAINTIFFS of Service of Preservation Subpoena to be Issued to SecurityScorecard, Inc. (EQACtrk)(Gibson, MaryBeth) (Entered: 04/04/2018)
04/04/2018	<u>280</u>		NOTICE by ALL PLAINTIFFS of Service of Preservation Subpoena to be Issued to Solutionary, Inc. (EQACtrk)(Gibson, MaryBeth) (Entered: 04/04/2018)
04/04/2018	<u>281</u>		NOTICE by ALL PLAINTIFFS of Service of Preservation Subpoena to be Issued to SourceFire, Inc. (EQACtrk)(Gibson, MaryBeth) (Entered: 04/04/2018)
04/04/2018	<u>282</u>		NOTICE by ALL PLAINTIFFS of Service of Preservation Subpoena to be Issued to The Apache Software Foundation

			(EQACtrk)(Gibson, MaryBeth) (Entered: 04/04/2018)
04/04/2018	<u>283</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to The U.S. Department of Homeland Security</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/04/2018)
04/04/2018	<u>284</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Trans Union, LLC</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/04/2018)
04/04/2018	<u>285</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Wells Fargo Bank, National Association</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/04/2018)
04/05/2018	<u>286</u>		MOTION to Withdraw John C. Herman as Attorneyby Christian Duke. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(EQACtrk)(Herman, John) (Entered: 04/05/2018)
04/05/2018	<u>287</u>		CONDITIONAL TRANSFER/REMAND ORDER 4/5/2018 from the Judicial Panel on Multidistrict Litigation. (EQACtrk)(jkl) (Entered: 04/05/2018)
04/06/2018	<u>288</u>		TRANSCRIPT of the Status Conference Hearing Proceedings held on April 3, 2018, before Judge Thomas W. Thrash, Jr. Court Reporter/Transcriber Susan C. Baker, Telephone number 404-215-1558. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 4/27/2018. Redacted Transcript Deadline set for 5/7/2018. Release of Transcript Restriction set for 7/5/2018. (Attachments: # <u>1</u> Notice of Filing of Official Transcript) (EQCctrk)(kac) (Entered: 04/06/2018)
04/06/2018	<u>289</u>		ORDER GRANTING (286) Motion to Withdraw as Attorney. Attorneys John C. Herman, Stuart A. Davidson and Paul J. Gellar withdrawn as counsel for Christian Duke and Dale Miller. Signed by Judge Thomas W. Thrash, Jr. on 4/6/2018. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03765-TWT(EQCCtrk)(jkl) (Entered: 04/06/2018)
04/09/2018	<u>290</u>		MOTION to Withdraw John C. Herman, Paul J. Gellar and Stuart A. Davidson as Attorneys by David Horne, et al. (Attachments: # <u>1</u> Text of Proposed Order)(EQACtrk)(Herman, John) Modified on 4/11/2018 (jkl). (Entered: 04/09/2018)
04/09/2018	<u>291</u>		NOTICE by Mario Vice <i>Notice of Dismissal Without Prejudice</i> (EQCCtrk)(Herman, John) (Entered: 04/09/2018)
04/09/2018	<u>292</u>		



			NOTICE by Marc Zweig <i>Notice of Dismissal Without Prejudice</i> (EQACtrk)(Herman, John) (Entered: 04/09/2018)
04/10/2018	<u>293</u>		MOTION to Withdraw Nickolas Hagman as Attorney by Dan Lang, Russell Pantek. (Attachments: # <u>1</u> Proposed Order)(EQACtrk)(Hagman, Nickolas) Modified on 10/31/2018 to terminate as motion and treat as a withdrawal (jkl). (Entered: 04/10/2018)
04/11/2018			Clerk's Entry of Dismissal APPROVING <u>291</u> NOTICE by Mario Vice Notice of Dismissal Without Prejudice, <u>292</u> NOTICE by Marc Zweig Notice of Dismissal Without Prejudice (28 in 1:17-cv-05067-TWT) Notice of Voluntary Dismissal, (19 in 1:17-cv-04250-TWT) Notice of Voluntary Dismissal pursuant to Fed.R.Civ.P.41(a)(1)(i) of individual plaintiffs Mario Vice and Marc Zweig. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-04250-TWT, 1:17-cv-05067-TWT(EQCCtrk)(jkl) (Entered: 04/11/2018)
04/11/2018	<u>294</u>		ORDER GRANTING <u>293</u> Motion to Withdraw as Attorney. Attorney Nickolas Hagman withdrawn as counsel for Plaintiffs Dan Lang and Russell Pantek. Signed by Judge Thomas W. Thrash, Jr. on 4/11/2018. (EQCCtrk)(jkl) (Entered: 04/12/2018)
04/13/2018	<u>295</u>		CONDITIONAL TRANSFER ORDER CTO-14 from the Judicial Panel on Multidistrict Litigation. (EQACtrk)(jkl) (Entered: 04/13/2018)
04/16/2018	<u>296</u>		ORDER in case 1:17-cv-03713-TWT; GRANTING (290) Motion to Withdraw as Attorney. Attorneys John C. Herman; Stuart A. Davidson and Paul J. Gellar terminated in case 1:17-md-02800-TWT as to defendants John C. Herman, Paul J. Gellar and Stuart A. Davidson Jeannie Baggett, Emily Bosak, Sean Bosak, Diane Brown, Patricia Buhler, Amanda Chap, Marie Chinander, Thurman Bryan Clark, Dawn Evans, Kelly Flood, Randi Freeman, Jennifer Griffin, Robert Harris, William Hill, David Horne, Christopher Hutchinson, Timothy Hutz, David Jungali, Scott Kingsland, Walter Kivlan, William Knudsen, Douglas Laktonen, Cheryl Lawson, Ivy Madsen, Patricia Maggiacomo, Peter Maizitis, Raymond McCartney, Lisa Melegari, Zandra Mendoza, Michael Moore, Donna Mosley, Jerry Nutt, Tanya Palmer, Justin Peltier, Deborah Person, Kenneth Peterson, Georgeanne Roberts, Lea Santello, Scott Sroka, David Steufen, Chris Tinen, Patricia Tuel, Cassey-Jo Wood, Scott Youngstrom, Peter de Jesus. Signed by Judge Thomas W. Thrash, Jr on 4/13/18. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03713-TWT(EQCCtrk)(jkl) (Entered: 04/16/2018)
04/16/2018	<u>297</u>		PROPOSED ORDER Stipulated Protective Order. (EQACtrk)(Haskins, Sidney) (Entered: 04/16/2018)

04/18/2018	<u>298</u>		Stipulated PROTECTIVE ORDER. Signed by Judge Thomas W. Thrash, Jr on 4/17/2018. (EQACtrk)(ss) (Entered: 04/18/2018)
04/18/2018	<u>299</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be issued to Aprio, LLP f/k/a Habif Arogeti &amp; Wynne, LLP</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/18/2018)
04/18/2018	<u>300</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be issued to Cisco Systems, Inc d/b/a Insight</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/18/2018)
04/18/2018	<u>301</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be issued to Consumer Data Industry Association</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/18/2018)
04/18/2018	<u>302</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Deloitte Consulting, LLP</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/18/2018)
04/18/2018	<u>303</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to EntIT, LLC</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/18/2018)
04/18/2018	<u>304</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Epiq Class Action &amp; Claims Solutions, Inc. d/b/a Epiq Corp Services, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/18/2018)
04/18/2018	<u>305</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Ernst &amp; Young, LLP</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/18/2018)
04/18/2018	<u>306</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to F5 Networks, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/18/2018)
04/18/2018	<u>307</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Fidelity National Card Services, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/18/2018)
04/18/2018	<u>308</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to FireEye, Inc. d/b/a Mandiant</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/18/2018)
04/18/2018	<u>309</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to International Business Machines Corporation</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/18/2018)
04/18/2018	<u>310</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to JPMorgan Chase Bank, National Association</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/18/2018)

04/18/2018	<u>311</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to KPMG, LLP</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/18/2018)
04/18/2018	<u>312</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Kroll Cyber Security, LLC</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/18/2018)
04/18/2018	<u>313</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Mandiant, LLC</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/18/2018)
04/18/2018	<u>314</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to McGinn and Company</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/18/2018)
04/18/2018	<u>315</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Pricewaterhouse–Coopers Advisory Services, LLP</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/18/2018)
04/18/2018	<u>316</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to RSA Security, LLC</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/18/2018)
04/18/2018	<u>317</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to ServiceNow, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/18/2018)
04/18/2018	<u>318</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Sitel Operating Corporation f/k/a Logic Operating Corporation</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/18/2018)
04/18/2018	<u>319</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Stach &amp; Liu, LLC</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/18/2018)
04/18/2018	<u>320</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to The R Group Public Relations Company, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/18/2018)
04/18/2018	<u>321</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Veracode, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/18/2018)
04/18/2018	<u>322</u>		MOTION to Withdraw Steven M. Shepard as Attorneyby Marc LaGasse, Andrea E. Petrungaro. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B – Proposed Order)(EQACtrk)(Shepard, Steven) (Entered: 04/18/2018)
04/20/2018	<u>323</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to American Express Company</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/20/2018)

04/20/2018	<u>324</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to AT&amp;T Corporation</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/20/2018)
04/20/2018	<u>325</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to AT&amp;T Mobility, LLC</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/20/2018)
04/20/2018	<u>326</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Cello Partnership d/b/a Verizon Wireless</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/20/2018)
04/20/2018	<u>327</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Comcast Corporation</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/20/2018)
04/20/2018	<u>328</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Cyber–Ark Software, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/20/2018)
04/20/2018	<u>329</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Cyence, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/20/2018)
04/20/2018	<u>330</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Cyence, LLC</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/20/2018)
04/20/2018	<u>331</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Discover Financial Services, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/20/2018)
04/20/2018	<u>332</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Fair Isaac Corporation</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/20/2018)
04/20/2018	<u>333</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Fidelity Information Services, LLC</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/20/2018)
04/20/2018	<u>334</u>		<b>DUPLICATE ENTRY</b> NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Fidelity Information Services, LLC</i> (EQACtrk)(Gibson, MaryBeth) Modified on 4/23/2018 (jkl). (Entered: 04/20/2018)
04/20/2018	<u>335</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Mastercard International Incorporated</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/20/2018)
04/20/2018	<u>336</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Mastercard Technologies, LLC</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/20/2018)
04/20/2018	<u>337</u>		

			NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to MeridianLink, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/20/2018)
04/20/2018	<u>338</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Microsoft Corporation</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/20/2018)
04/20/2018	<u>339</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Rapid7, LLC</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/20/2018)
04/20/2018	<u>340</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Sprint Corporation</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/20/2018)
04/20/2018	<u>341</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to T-Mobile USA, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/20/2018)
04/20/2018	<u>342</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Verizon Communications, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/20/2018)
04/20/2018	<u>343</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Verizon Wireless Services, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/20/2018)
04/20/2018	<u>344</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Visa U.S.A, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/20/2018)
04/20/2018	<u>345</u>		NOTICE of Voluntary Dismissal <i>Notice of Dismissal Without Prejudice</i> filed by Dan Lang, Russell Pantek (EQCCtrk)(Zimmerman, Thomas) (Entered: 04/20/2018)
04/23/2018			Clerk's Entry of Dismissal APPROVING (345 in 1:17-md-02800-TWT) Notice of Voluntary Dismissal Without Prejudice pursuant to Fed.R.Civ.P.41(a)(1)(i) by Plaintiffs Dan Lang and Russell Pantek, ONLY. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-05026-TWT(EQCCtrk)(jkl) (Entered: 04/23/2018)
04/23/2018	<u>346</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Jack Henry &amp; Associates, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 04/23/2018)
04/23/2018	<u>347</u>		NOTICE of Voluntary Dismissal <i>Without Prejudice</i> filed by Leigh Dunlap, Lola Hunter, Greg Johns, Yorkman Lowe, Timothy Mack (EQCCtrk)(Diamand, Nicholas) (Entered: 04/23/2018)
04/24/2018			Clerk's Entry of Dismissal APPROVING (347 in 1:17-md-02800-TWT) Notice of Voluntary Dismissal Without Prejudice, (28 in 1:17-cv-05342-TWT) Notice of Voluntary Dismissal Without Prejudice, pursuant to



			Fed.R.Civ.P.41(a)(1)(i) of Plaintiffs Leigh Dunlap, Lola Hunter, Greg Johns, Yorkman Lowe, Timothy Mack, ONLY. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-05342-TWT(EQCCtrk)(jkl) (Entered: 04/24/2018)
04/24/2018	<u>348</u>		CONDITIONAL TRANSFER ORDER CTO-15 from the Judicial Panel on Multidistrict Litigation. (EQACtrk)(jkl) (Entered: 04/24/2018)
04/24/2018	<u>349</u>		NOTICE of Voluntary Dismissal filed by Lisa C Johnson, Walter Johnson, Jr., Edward Dean McShan, II, Edward Dean McShan, Juliette Ann Wiltz, Anthony Sabastian Pitarra, and Rita Joyce Pitarra (EQCCtrk)(Hemphill, Craig) Modified on 4/24/2018 (jkl). (Entered: 04/24/2018)
04/24/2018			Clerk's Entry of Dismissal APPROVING (349 in 1:17-md-02800-TWT) Notice of Voluntary Dismissal pursuant to Fed.R.Civ.P.41(a)(1)(i) for Plaintiffs Lisa C Johnson, Walter Johnson, Jr., Edward Dean McShan, II, Edward Dean McShan, Juliette Ann Wiltz, Anthony Sabastian Pitarra, and Rita Joyce Pitarra ONLY. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-05020-TWT, 1:17-cv-05444-TWT, 1:17-cv-05494-TWT(EQCCtrk)(jkl) (Entered: 04/24/2018)
04/26/2018	<u>350</u>		MOTION to Remand to State Court ( <i>total 100 Plaintiffs</i> ) by Ashley Abramson, Katiushka Rebeca Acosta-Smith. (EQCCtrk)(Wilens, Jeffrey) (Entered: 04/26/2018)
04/26/2018	<u>351</u>		NOTICE of Voluntary Dismissal filed by John Kennedy Bailey, Andrew Crow, Kevin O'Brien, Sarah O'Brien, Stephanie Patrick, Lorraine Plante, Stephen Plante, Lauren Hoffman Taylor (Attachments: # <u>1</u> Certificate of Service)(EQCCtrk)(Flowers, Jodi) (Entered: 04/26/2018)
04/26/2018	<u>352</u>		NOTICE of Voluntary Dismissal filed by Karen Bergquist, John L. Brisini, Jr, Donald A. Cordell, Jeffrey Warren Dixon, Jon M. Lewis, Antonietta McCann, Hollie Moore, Anna Rice-Wright, Deborah Rivas, Randall K. Roshto, Patricia Samuelson, Barbara A. Shafran, Stephen M. Shafran, Jr, Ryan Treat, James R. Wright (Attachments: # <u>1</u> Certificate of Service)(EQCCtrk)(Flowers, Jodi) (Entered: 04/26/2018)
04/26/2018	<u>353</u>		NOTICE of Voluntary Dismissal filed by Carrie L. Entsminger, Johnathan C. Entsminger, Richard Gainey, Valerie Gainey, Sarah L. Hardy, Aloha Kier, Jackie L. Kier, Larry Newcomer, Andrea Shafran (Attachments: # <u>1</u> Certificate of Service)(EQCCtrk)(Flowers, Jodi) (Entered: 04/26/2018)
04/26/2018	<u>354</u>		NOTICE of Voluntary Dismissal filed by Reesa Ali, Roy Bishop, Ashley Cashon, Nancy Gauger, Jade Haileselassie, Bruce Mattock, Kerri Murphy (Attachments: # <u>1</u> Certificate of Service)(EQCCtrk)(Flowers, Jodi) (Entered: 04/26/2018)

04/27/2018	<u>355</u>		NOTICE of Voluntary Dismissal filed by Joseph M. Kuss, Stacy Markowitz (EQACtrk)(Schwartz, Steven) (Entered: 04/27/2018)
04/27/2018	<u>356</u>		ORDER from United States Judicial Panel on Multidistrict Litigation re: ORDER REINSTATING STAY OF CONDITIONAL TRANSFER ORDER for <i>Morgan v. Equifax Inc., E.D. Virginia, C.A. No. 3:18-00173</i> . (EQACtrk)(jkl) (Entered: 04/30/2018)
04/30/2018	<u>357</u>		<b>REDOCKETED AT 360</b> RESPONSE re <u>348</u> MDL Conditional Transfer Order filed by Valerie D. Morgan. (EQCCtrk)(jkl) (Entered: 05/02/2018)
04/30/2018	<u>360</u>		<b>CORRECTED PDF</b> RESPONSE re <u>348</u> MDL Conditional Transfer Order by Valerie D. Morgan. (EQCCtrk)(jkl) (Entered: 05/07/2018)
05/01/2018			Clerk's Entry of Dismissal APPROVING Notice of Voluntary Dismissals (352 in 1:17-md-02800-TWT), (353 in 1:17-md-02800-TWT), (355 in 1:17-md-02800-TWT), (354 in 1:17-md-02800-TWT), (351 in 1:17-md-02800-TWT), pursuant to Fed.R.Civ.P.41(a)(1)(i). Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03436-TWT, 1:17-cv-03809-TWT, 1:17-cv-04159-TWT, 1:17-cv-05040-TWT, 1:17-cv-05340-TWT(EQCCtrk)(jkl) (Entered: 05/01/2018)
05/07/2018			Submission of <u>322</u> MOTION to Withdraw Steven M. Shepard as Attorney, to District Judge Thomas W. Thrash Jr. (EQACtrk)(jkl) (Entered: 05/07/2018)
05/07/2018	<u>358</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Preservation Subpoena to be Issued to Comcast Corporation</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 05/07/2018)
05/07/2018	<u>359</u>		CONDITIONAL TRANSFER ORDER CTO-16 from the Judicial Panel on Multidistrict Litigation. (EQACtrk)(jkl) (Entered: 05/07/2018)
05/07/2018	<u>361</u>		MOTION to Stay Briefing Deadlines or, in the Alternative, for an Extension of Time with Brief In Support by Equifax, Inc. (Attachments: # <u>1</u> Text of Proposed Order)(EQCCtrk)(Haskins, Sidney) . Added MOTION for Extension of Time on 5/8/2018 (jkl). (Entered: 05/07/2018)
05/07/2018	<u>362</u>		CONSENT ORDER EXTENDING DEADLINE TO FILE STIPULATED PROPOSED ESI PROTOCOL. The Stipulated Proposed ESI Protocol is due by 5/31/2018. Signed by Judge Thomas W. Thrash, Jr. on 5/7/2018. (EQACtrk)(jkl) Modified on 5/8/2018 to correct text (jkl). (Entered: 05/08/2018)
05/08/2018	<u>363</u>		

			ORDER GRANTING Michael Irwin's MOTION to Withdraw Ashley Marie Romero as Attorney (24 in 1:17-cv-05360-TWT). Signed by Judge Thomas W. Thrash, Jr. on 5/7/2018. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-05360-TWT(EQACtrk)(jkl) (Entered: 05/08/2018)
05/08/2018			Notification of Docket Correction re <u>361</u> MOTION to Stay <i>Briefing Deadlines or, in the Alternative, for an Extension of Time</i> MOTION for Extension of Time is STILL PENDING. (EQACtrk)(jkl) (Entered: 05/08/2018)
05/08/2018	<u>364</u>		RESPONSE in Opposition re <u>361</u> MOTION to Stay <i>Briefing Deadlines or, in the Alternative</i> , MOTION for Extension of Time ( <i>filed by total of 100 plaintiffs</i> ) filed by Ashley Abramson, Katiushka Rebeca Acosta-Smith. (EQCCtrk)(Wilens, Jeffrey) (Entered: 05/08/2018)
05/10/2018	<u>365</u>		MOTION to Withdraw Jodi Westbrook Flowers, Breanne Cope, Laura Ray, and Mathew Jasinski as Attorney by Jennifer Saavedra. (Attachments: # <u>1</u> Text of Proposed Order)(EQCCtrk)(Flowers, Jodi) Text modified on 5/10/2018 to include all attorneys moving to withdraw. (adg). (Entered: 05/10/2018)
05/10/2018	<u>366</u>		MOTION to Withdraw Jodi Westbrook FlowersFlowers, Kevin R. Dean, Breanne Cope, Laura Ray, and Mathew Jasinski as Attorney by John Corona, Elizabeth Dorssom, Christopher P. Dunleavy, Katherine Edwards, Gary Martinez, Steven B. Stein, Victoria Lynn Strutz, Julia A. Williams, Phillip Williams. (Attachments: # <u>1</u> Text of Proposed Order)(EQCCtrk)(Flowers, Jodi) Text modified on 5/10/2018 to include all attorneys moving to withdraw. (adg). (Entered: 05/10/2018)
05/10/2018	<u>367</u>		MOTION to Withdraw Jodi Westbrook Flowers, Kevin R. Dean, Joseph F. Rice, Breanne Cope, Laura Ray, and Mathew Jasinski as Attorney by Dori M. Mashburn. (Attachments: # <u>1</u> Text of Proposed Order)(EQCCtrk)(Flowers, Jodi) Text modified on 5/10/2018 to include all attorneys moving to withdraw. (adg). (Entered: 05/10/2018)
05/10/2018	<u>368</u>		MOTION to Withdraw Jodi Westbrook Flowers, Breanne Cope, Laura Ray, and Mathew Jasinski as Attorney by Tom W. Hannon, Tom W. Hannon. (Attachments: # <u>1</u> Text of Proposed Order)(EQCCtrk)(Flowers, Jodi) Text modified on 5/10/2018 to include all attorneys moving to withdraw. (adg). (Entered: 05/10/2018)
05/10/2018			Notification of Docket Correction re <u>368</u> MOTION to Withdraw Jodi Westbrook Flowers as Attorney, <u>366</u> MOTION to Withdraw Jodi Westbrook Flowers as Attorney, <u>367</u> MOTION to Withdraw Jodi Westbrook Flowers as



		Attorney, <u>365</u> MOTION to Withdraw Jodi Westbrook Flowers as Attorney. Text modified on 5/10/2018 to include all attorneys moving to withdraw. (EQCCtrk)(adg) (Entered: 05/10/2018)
05/10/2018	<u>369</u>	NOTICE by Equifax, Inc. of <i>Potential Tag-Along Action</i> (Attachments: # <u>1</u> Exhibit A – Damien Flores Complaint)(EQCCtrk)(Haskins, Sidney) (Entered: 05/10/2018)
05/11/2018	<u>370</u>	ORDER granting <u>366</u> Motion to Withdraw as Attorney. Attorneys Jodi W. Flowers, Kevin R. Dean, Breanne Cope, Laura Ray, and Mathew Jasinski terminated as counsel for Plaintiffs Steven B. Stein, John Corona, Christopher P. Dunleavy, Victoria Lynn, Strutz, Phillip Williams, Gary Martinez, Julia A. Williams, Katherine Edwards, and Elizabeth Dorssom. Signed by Judge Thomas W. Thrash, Jr. on 5/11/18. (EQCCtrk)(jkl) (Entered: 05/11/2018)
05/11/2018	<u>371</u>	ORDER granting <u>365</u> Motion to Withdraw as Attorney. Attorneys Jodi W. Flowers, Breanne Cope, Laura Ray, and Mathew Jasinski terminated as counsel for Jennifer Saavedra. Signed by Judge Thomas W. Thrash, Jr. on 5/11/18. (EQCCtrk)(jkl) (Entered: 05/11/2018)
05/11/2018	<u>372</u>	ORDER granting <u>367</u> Motion to Withdraw as Attorney. Attorneys Jodi W. Flowers, Kevin R. Dean, Joseph F. Rice, Breanne Cope, Laura Ray, and Mathew Jasinski terminated as counsel for Dori M. Mashburn. Signed by Judge Thomas W. Thrash, Jr. on 5/11/18. (EQCCtrk)(jkl) (Entered: 05/11/2018)
05/11/2018	<u>373</u>	ORDER GRANTING <u>368</u> Motion to Withdraw as Attorney. Attorneys Jodi W. Flowers, Breanne Cope, Laura Ray, and Mathew Jasinski terminated as counsel for Plaintiff Tom W. Hannon. Signed by Judge Thomas W. Thrash, Jr. on 5/11/18. (EQCCtrk)(jkl) (Entered: 05/11/2018)
05/14/2018	<u>374</u>	AMENDED COMPLAINT <i>Consolidated Consumer Class Action Complaint</i> against Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc. with Jury Demand filed by ALL PLAINTIFFS. (EQCCtrk)(Siegel, Norman) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions and Pretrial Associated Forms which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 05/14/2018)
05/14/2018	<u>375</u>	AMENDED COMPLAINT <i>Consolidated Small Business Class Action Complaint</i> against Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc. with Jury Demand filed by ALL PLAINTIFFS. (EQCCtrk)(Keller, Amy) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to

			obtain Pretrial Instructions and Pretrial Associated Forms which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 05/14/2018)
05/16/2018			Submission of <u>350</u> MOTION to Remand to State Court ( <i>total 100 Plaintiffs</i> ), to District Judge Thomas W. Thrash Jr. (EQACtrk)(jkl) (Entered: 05/16/2018)
05/18/2018	<u>376</u>		Unopposed Motion to Bring Audio/Visual/Electronic Equipment in the Courtroom <i>to Lift Restrictions on Media</i> by ALL PLAINTIFFS. (Attachments: # <u>1</u> Proposed Order)(EQACtrk)(Gibson, MaryBeth) (Entered: 05/18/2018)
05/18/2018	<u>377</u>		Unopposed Motion to Bring Audio/Visual/Electronic Equipment in the Courtroom by ALL PLAINTIFFS. (Attachments: # <u>1</u> Text of Proposed Order)(EQACtrk)(Worley, David) (Entered: 05/18/2018)
05/18/2018	<u>378</u>		ORDER granting <u>376</u> Motion to Bring Audio/Visual/Electronic & Other Comoputer Equipment in the Courtroom on 5/22/2018 at 2:00 p.m.. Signed by Judge Thomas W. Thrash, Jr. on 5/18/2018. (EQACtrk)(ss) (Entered: 05/18/2018)
05/18/2018	<u>379</u>		ORDER granting <u>377</u> Motion to Bring Audio/Visual/Electronic & Other Computer Equipment in the Courtroom on 5/22/2018 at 2:00 pm. Signed by Judge Thomas W. Thrash, Jr. on 5/18/2018. (EQACtrk)(ss) (Entered: 05/18/2018)
05/18/2018	<u>380</u>		NOTICE of Appearance of Patrick K. Slyne by Michele Renee Archambault. (EQACtrk)(Klein, Michael) Modified on 5/21/2018 (jkl). (Entered: 05/18/2018)
05/21/2018	<u>381</u>		CONDITIONAL TRANSFER ORDER CTO-17 from the Judicial Panel on Multidistrict Litigation. (EQACtrk)(jkl) (Entered: 05/21/2018)
05/21/2018	<u>382</u>		ORDER GRANTING (361) Motion to Stay. Equifax's deadlines to respond to the motions to remand filed in Abramson v. Equifax Inc., Case No. 1:18-CV-1466-TWT and Acosta-Smith v. Equifax Inc., Case No. 1:18-CV-1467-TWT, and the motion for attorney's fees filed in Casper v. Equifax Inc., Case No. 1:18-CV-1511-TWT, are stayed until the Court can consider a proposed Case Management Order to uniformly govern the resolution of those and any subsequent similar motions, such proposed CMO to be submitted by the Parties or Equifax by June 6, 2018. Signed by Judge Thomas W. Thrash, Jr. on 5/21/2018. Associated Cases: 1:17-md-02800-TWT, 1:18-cv-01466-TWT, 1:18-cv-01467-TWT(EQCCtrk)(jkl) (Entered: 05/21/2018)
05/21/2018	<u>383</u>		NOTICE of Voluntary Dismissal without prejudice filed by Michael Ribons, Alejandro Salinas (EQCCtrk)(Warshaw,

			Daniel) (Entered: 05/21/2018)
05/22/2018			Clerk's Entry of Dismissal APPROVING (383 in 1:17-md-02800-TWT) Notice of Voluntary Dismissal pursuant to Fed.R.Civ.P.41(a)(1)(i). Associated Cases: 1:17-md-02800-TWT, 1:17-cv-05042-TWT(EQCCtrk)(jkl) (Entered: 05/22/2018)
05/22/2018	<u>385</u>		MOTION for Order <i>Establishing Separate Track for Governmental Enforcement Actions</i> by City Of Chicago. (Attachments: # <u>1</u> Text of Proposed Order)(EQACtrk)(Starzec, Christie) (Entered: 05/22/2018)
05/22/2018			Remark Docket entry re: Certificate of Interested Persons made in error. (EQCCtrk)(ss) (Entered: 05/22/2018)
05/22/2018	<u>386</u>		Minute Entry for proceedings held before Judge Thomas W. Thrash, Jr.: Status Conference held on 5/22/2018. Consumer Plaintiffs and Small Business Compliant, filed and the Financial Consumer Plaintiffs expect to file their consolidated amended by 5/30. Next Status Conference will be in mid to late July, date to be determined. (Court Reporter Susan Baker)(EQACtrk)(jkl) (Entered: 05/22/2018)
05/23/2018	<u>387</u>		MOTION to Withdraw John Soumilas as Attorneyby Daniel J. Mann. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(EQCCtrk)(Soumilas, John) (Entered: 05/23/2018)
05/24/2018	<u>388</u>		ORDER granting <u>387</u> Motion to Withdraw as Attorney. Attorney John Soumilas terminated. Signed by Judge Thomas W. Thrash, Jr. on 5/24/2018. (EQACtrk)(jkl) (Entered: 05/24/2018)
05/25/2018	<u>389</u>		NOTICE of Voluntary Dismissal of <i>Patrick Barker</i> filed by Patrick Barker (Attachments: # <u>1</u> Certificate of Service)(EQCCtrk)(Beligan, Jerusalem) (Entered: 05/25/2018)
05/29/2018			Clerk's Entry of Dismissal APPROVING (25 in 1:17-cv-05007-TWT) Notice of Voluntary Dismissal, (389 in 1:17-md-02800-TWT) Notice of Voluntary Dismissal pursuant to Fed.R.Civ.P.41(a)(1)(i) of Patrick Barker, ONLY. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-05007-TWT(EQCCtrk)(jkl) (Entered: 05/29/2018)
05/30/2018	<u>390</u>		AMENDED COMPLAINT <i>Financial Institution Plaintiffs' Consolidated Amended Complaint</i> against Equifax Information Services LLC, Equifax, Inc.with Jury Demand filed by ALL PLAINTIFFS, FNCB Bank, Financial Health Federal Credit Union, Firefly Credit Union, Hudson River Community Credit Union, Iowa Credit Union League, Peach State Federal Credit Union, Peoples National Bank, Pinnacle Bancorp, The Bank of New Hampshire, Wisconsin Credit Union League.(EQFItk)(Guglielmo, Joseph) Please visit our website at

			http://www.gand.uscourts.gov/commonly-used-forms to obtain Pretrial Instructions and Pretrial Associated Forms which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 05/30/2018)
05/30/2018	<u>391</u>		PROPOSED SUMMONS filed by ALL PLAINTIFFS <i>Financial Institution Plaintiffs</i> (EQFItrk)(Guglielmo, Joseph) (Entered: 05/30/2018)
05/31/2018	<u>392</u>		Electronic Summons Issued as to Equifax Information Services LLC. (EQACtrk)(jkl) (Entered: 05/31/2018)
05/31/2018	<u>393</u>		PROPOSED Case Management Order No. 5. (EQACtrk)(Keller, Amy) (Entered: 05/31/2018)
06/01/2018	<u>394</u>		OBJECTION re <u>393</u> Proposed Order <i>Case Management Order No. 5</i> by Ashley Abramson, Katiushka Rebeca Acosta-Smith. (EQCCtrk)(Wilens, Jeffrey) (Entered: 06/01/2018)
06/01/2018	<u>395</u>		RESPONSE to Casper Plaintiff's Motion to Compel Answer to Pro Se Complaint (1:18-CV-1511-TWT) re <u>382</u> Order on Motion to Stay filed by Equifax, Inc. (EQCCtrk)(Haskins, Sidney) Modified on 6/4/2018 (jkl). (Entered: 06/01/2018)
06/01/2018	<u>396</u>		TRANSCRIPT of the Status Conference Hearing Proceedings held on May 22, 2018, before Judge Thomas W. Thrash, Jr. Court Reporter/Transcriber Susan C. Baker, Telephone number 404-215-1558. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 6/22/2018. Redacted Transcript Deadline set for 7/2/2018. Release of Transcript Restriction set for 8/30/2018. (Attachments: # <u>1</u> Notice of Filing of Official Transcript) (EQCCtrk)(kac) (Entered: 06/01/2018)
06/04/2018	<u>397</u>		CONDITIONAL TRANSFER ORDER CTO-19 from the Judicial Panel on Multidistrict Litigation. Counts 1, 2, 3, 4, 5, 6, 7, 9, and 10 of this action, which do not related to the Equifax data breach issue in MDL no. 2800, are separated and simultaneously remanded to the Middle District of Florida. Modified on 4/17/2019 to amend docket text (jdb). (EQACtrk)(jkl) (Entered: 06/04/2018)
06/04/2018	<u>398</u>		Joint MOTION for Extension of Time of Briefing Schedule re: <u>385</u> MOTION for Order <i>Establishing Separate Track for Governmental Enforcement Actions</i> by Equifax, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(EQACtrk)(Haskins, Sidney) (Entered: 06/04/2018)
06/04/2018	<u>399</u>		NOTICE by Equifax Information Services LLC of <i>Potential Tag-Along Action</i> (Attachments: # <u>1</u> Exhibit A - Complaint)(EQCCtrk)(Haskins, Sidney) (Entered: 06/04/2018)

			06/04/2018)
06/05/2018	<u>400</u>		OBJECTION and MOTION TO AMEND <u>393</u> Proposed CMO Order No. 5 filed by Craig Ward, Mary Warren, Todd Warren, Teri Weatherly. (Attachments: # <u>1</u> Certificate of Service)(EQCctrk)(Smith, Michael) Modified on 6/5/2018 (jkl). (Entered: 06/05/2018)
06/05/2018	<u>401</u>		SUGGESTION OF REMAND to the United States District Court for the Middle District of North Carolina for pro se action 1:18-CV-1511-TWT, CASPER v. EQUIFAX, INC. Signed by Judge Thomas W. Thrash, Jr. on 5/31/18. (EQACtrk)(jkl) (Entered: 06/05/2018)
06/05/2018			Clerk's Certificate of emailing to the U.S. Judicial Panel on MDL re <u>401</u> Order. (EQACtrk)(jkl) (Entered: 06/05/2018)
06/06/2018	<u>402</u>		ORDER granting <u>398</u> Motion for Extension of Time through 6/12/2018 to file response and through 6/29/2018 to file any reply, re <u>385</u> MOTION for Order <i>Establishing Separate Track for Governmental Enforcement Actions</i> . Signed by Judge Thomas W. Thrash, Jr. on 6/5/2018. (EQACtrk)(ss) (Entered: 06/06/2018)
06/06/2018	<u>403</u>		Certification of Consent to Substitution of Counsel. James A. Kitces replacing attorney Sam E. Khorroosi. (EQFitrk)(Kitces, James) (Entered: 06/06/2018)
06/06/2018	<u>404</u>		CONDITIONAL TRANSFER ORDER from the Judicial Panel on Multidistrict Litigation. (EQACtrk)(jkl) (Entered: 06/06/2018)
06/06/2018	<u>405</u>		NOTICE of Hearing: Status Conference set for 7/20/2018 at 11:00 AM in ATLA Courtroom 2108 before Judge Thomas W. Thrash Jr., proposed agenda due 7/19/2018, 3:00 p.m. (see notice for further details). (EQACtrk)(ss) (Entered: 06/06/2018)
06/06/2018	<u>406</u>		NOTICE of Change of Address for Catherine J. Fleming, counsel for Jodie Pavitt (EQCctrk)(Fleming, Catherine) (Entered: 06/06/2018)
06/11/2018	<u>407</u>		CONDITIONAL TRANSFER ORDER CTO-20 from the Judicial Panel on Multidistrict Litigation. (EQACtrk)(jkl) (Entered: 06/11/2018)
06/11/2018	<u>408</u>		ORDER denying <u>400</u> Motion to Amend Proposed Case Management Order 5.. Signed by Judge Thomas W. Thrash, Jr. on 6/11/18. (EQACtrk)(ss) (Entered: 06/11/2018)
06/11/2018	<u>409</u>		CASE MANAGEMENT ORDER NO. 5. Signed by Judge Thomas W. Thrash, Jr. on 6/11/18. (EQACtrk)(ss) (Entered: 06/11/2018)
06/12/2018	<u>410</u>		RESPONSE in Opposition re <u>385</u> MOTION for Order <i>Establishing Separate Track for Governmental Enforcement</i>



			Actions filed by ALL PLAINTIFFS. (EQACtrk)(Siegel, Norman) (Entered: 06/12/2018)
06/12/2018	<u>411</u>		RESPONSE re <u>385</u> MOTION for Order <i>Establishing Separate Track for Governmental Enforcement Actions</i> filed by Equifax, Inc.. (Attachments: # <u>1</u> Exhibit 1 – Response to Motion to Stay, # <u>2</u> Exhibit 2 – Order on Motion to Stay, # <u>3</u> Exhibit 3 – Motion to Vacate CTO–1, # <u>4</u> Exhibit 4 – Amended Complaint)(EQCctrk)(Haskins, Sidney) (Entered: 06/12/2018)
06/15/2018	<u>412</u>		ACKNOWLEDGMENT OF SERVICE Executed filed by ALL PLAINTIFFS. Equifax Information Services LLC served on 6/14/2018. (EQFitrk)(Guglielmo, Joseph) (Entered: 06/15/2018)
06/15/2018	<u>413</u>		Joint MOTION for Leave to File Excess Pages by Equifax, Inc.. (Attachments: # <u>1</u> Text of Proposed Order – Exhibit A)(EQCctrk)(Haskins, Sidney) (Entered: 06/15/2018)
06/18/2018	<u>414</u>		ORDER granting <u>413</u> Motion for Leave to File Excess Pages. Signed by Judge Thomas W. Thrash, Jr. on 6/18/18. (EQACtrk)(jkl) (Entered: 06/18/2018)
06/20/2018	<u>415</u>		NOTICE of Voluntary Dismissal <i>OF JENNIFER SAAVEDRA AS A NAMED PLAINTIFF</i> filed by Jennifer Saavedra(individually and on behalf of all others similarly situated) (EQACtrk)(Laufenberg, Cari) (Entered: 06/20/2018)
06/20/2018	<u>416</u>		NOTICE of Voluntary Dismissal <i>OF Phillip Williams AS A NAMED PLAINTIFF</i> filed by John Corona (EQACtrk)(Laufenberg, Cari) Modified on 6/21/2018 to change party name to match PDF (jkl). (Entered: 06/20/2018)
06/20/2018	<u>417</u>		NOTICE of Voluntary Dismissal <i>OF ELIZABETH DORSSOM AS A NAMED PLAINTIFF</i> filed by Elizabeth Dorssom (EQACtrk)(Laufenberg, Cari) (Entered: 06/20/2018)
06/20/2018	<u>418</u>		NOTICE of Voluntary Dismissal <i>OF GARY MARTINEZ AS A NAMED PLAINTIFF</i> filed by Gary Martinez (EQACtrk)(Laufenberg, Cari) (Entered: 06/20/2018)
06/20/2018	<u>419</u>		NOTICE of Voluntary Dismissal <i>OF STEVEN STEIN AS A NAMED PLAINTIFF</i> filed by Steven B. Stein (EQACtrk)(Laufenberg, Cari) (Entered: 06/20/2018)
06/20/2018	<u>420</u>		NOTICE of Voluntary Dismissal <i>OF VICTORIA STRUTZ AS A NAMED PLAINTIFF</i> filed by Victoria Lynn Strutz (EQACtrk)(Laufenberg, Cari) (Entered: 06/20/2018)
06/20/2018	<u>421</u>		<b>(DUPLICATE ENTRY)</b> NOTICE of Voluntary Dismissal <i>OF PHILLIP WILLIAMS AS A NAMED PLAINTIFF</i> filed by Phillip Williams (EQACtrk)(Laufenberg, Cari) Modified on

			6/21/2018 (jkl). (Entered: 06/20/2018)
06/20/2018	<u>422</u>		NOTICE of Voluntary Dismissal <i>OF DORI MASHBURN AS A NAMED PLAINTIFF</i> filed by Doris M. Mashburn (EQACtrk)(Laufenberg, Cari) (Entered: 06/20/2018)
06/21/2018			NOTE FROM CLERK'S OFFICE re <u>415</u> , <u>416</u> , <u>417</u> , <u>418</u> , <u>419</u> , <u>420</u> , <u>421</u> , <u>422</u> Notices of Voluntary Dismissal – the Clerk has already entered an entry of dismissal for these plaintiffs (see entry dated 5/1/2018 approving entries 352–355). (EQACtrk)(jkl) (Entered: 06/21/2018)
06/25/2018			Notification of Docket Correction re Clerks Entry of Dismissal – plaintiffs Christopher Dunleavy, Tom W. Hannon, and Katherine Edwards are not terminated; their member cases are still open. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03809-TWT, 1:17-cv-05040-TWT(EQCCtrk)(jkl) (Entered: 06/25/2018)
06/26/2018	<u>423</u>		REPLY to Response to Motion re <u>385</u> MOTION for Order <i>Establishing Separate Track for Governmental Enforcement Actions</i> filed by City Of Chicago. (EQACtrk)(Starzec, Christie) (Entered: 06/26/2018)
06/26/2018			<b>TERMINATED</b> Submission of <u>385</u> MOTION for Order <i>Establishing Separate Track for Governmental Enforcement Actions</i> , to District Judge Thomas W. Thrash Jr. (EQACtrk)(jkl) Modified on 6/27/2018 (jkl). (Entered: 06/26/2018)
06/26/2018	<u>424</u>		CLARIFICATION re <u>385</u> MOTION for Order <i>Establishing Separate Track for Governmental Enforcement Actions</i> filed by City Of Chicago. (EQACtrk)(Starzec, Christie) Text modified on 6/27/2018 (jkl). (Entered: 06/26/2018)
06/27/2018	<u>425</u>		MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM with Brief In Support by Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc. (Attachments: # <u>1</u> Brief, # <u>2</u> Exhibit 1 – Chart Summarizing Purported Injuries Alleged By Plaintiffs, # <u>3</u> Exhibit 2 – Chart Summarizing Equifax's Arguments)(EQCCtrk)(Balser, David) Modified on 6/29/2018 to remove repeat text (jkl). (Entered: 06/27/2018)
06/29/2018	<u>426</u>		REPLY to Response to Motion re <u>385</u> MOTION for Order <i>Establishing Separate Track for Governmental Enforcement Actions</i> filed by City Of Chicago. (EQACtrk)(Starzec, Christie) (Entered: 06/29/2018)
07/02/2018			Submission of <u>385</u> MOTION for Order <i>Establishing Separate Track for Governmental Enforcement Actions</i> to District Judge Thomas W. Thrash Jr. (EQACtrk)(jkl) (Entered: 07/02/2018)
07/06/2018	<u>431</u>		

			CONDITIONAL TRANSFER ORDER CTO-22 from the Judicial Panel on Multidistrict Litigation. (EQACtrk)(jkl) (Entered: 07/13/2018)
07/11/2018	<u>427</u>		Joint MOTION for Leave to File Excess Pages by Equifax, Inc.. (Attachments: # <u>1</u> Exhibit A – Proposed Order)(EQFitrk)(Haskins, Sidney) (Entered: 07/11/2018)
07/11/2018	<u>428</u>		NOTICE Of Filing Equifax's Response to Plaintiff Casper's Motion for Attorneys' Fees and Costs [Casper Dkt. No. 39] by Equifax, Inc. (EQCCtrk)(Haskins, Sidney) (Entered: 07/11/2018)
07/11/2018	<u>429</u>		NOTICE of Voluntary Dismissal of <i>Grant Avise as Named Plaintiff</i> filed by Grant Avise (EQACtrk)(Robinson, Daniel) (Entered: 07/11/2018)
07/12/2018			Clerk's Entry of Dismissal APPROVING (429 in 1:17-md-02800-TWT) Notice of Voluntary Dismissal of Grant Avise ONLY, without prejudice, pursuant to Fed.R.Civ.P.41(a)(1)(i). Associated Cases: 1:17-md-02800-TWT, 1:17-cv-05022-TWT(EQCCtrk)(jkl) (Entered: 07/12/2018)
07/13/2018	<u>430</u>		Unopposed Motion to Bring Audio/Visual/Electronic Equipment in the Courtroom by ALL PLAINTIFFS. (Attachments: # <u>1</u> Text of Proposed Order)(EQCCtrk)(Worley, David) (Entered: 07/13/2018)
07/16/2018	<u>432</u>		ORDER ALLOWING AUDIO/VISUAL AND OTHER COMPUTER EQUIPMENT IN THE COURTROOM on 7/20/2018 at 11:00 a.m. (Financial Institution Track Plaintiffs). Signed by Judge Thomas W. Thrash, Jr. on 7/16/2018. (EQFitrk)(ss) (Entered: 07/16/2018)
07/16/2018	<u>433</u>		ORDER granting <u>427</u> Motion for Leave to File Excess Pages. Signed by Judge Thomas W. Thrash, Jr. on 7/16/18. (EQFitrk)(jkl) (Entered: 07/16/2018)
07/16/2018	<u>434</u>		ORDER ALLOWING AUDIO/VISUAL AND OTHER COMPUTER EQUIPMENT IN THE COURTROOM on 7/20/2018 at 11:00 a.m. (Consumer Track Plaintiffs) Signed by Judge Thomas W. Thrash, Jr. on 7/16/2018. (EQCCtrk)(ss) (Entered: 07/16/2018)
07/16/2018	<u>435</u>		MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM re <u>390</u> Financial Institutions' Consolidated Amended Complaint with Brief In Support by Equifax Information Services LLC, Equifax, Inc. (Attachments: # <u>1</u> Brief in Support, # <u>2</u> Exhibit 1 – Chart Summarizing Equifax's Arguments)(EQFitrk)(Balser, David) (Entered: 07/16/2018)
07/16/2018	<u>436</u>		ORDER of United States Judicial Panel on Multidistrict Litigation REINSTATING STAY OF <u>431</u> CONDITIONAL



			TRANSFER ORDER as to pro se plaintiff Jesse W. Potente. See 1:18-CV-3327. (EQCCKtrk)(jkl) (Entered: 07/17/2018)
07/19/2018			NOTICE The Status Conference scheduled for Friday 7/20/2018 at 11:00 a.m. has been cancelled at request of counsel. A date for the next status conference will be determined and notice entered on docket for a date in late August or September. Associated Cases: 1:17-md-02800-TWT et al.(EQACtrk)(ss) (Entered: 07/19/2018)
07/20/2018			Steven M. Shepard withdrawn as attorney for Marc LaGasse, Andrea E. Petrungaro re <u>322</u> MOTION to Withdraw. Per direction of Chambers. (EQCCKtrk)(jkl) (Entered: 07/20/2018)
07/23/2018	<u>437</u>		NOTICE of Appearance of Scott Lesowitz for Carson Block. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-05341-TWT(EQCCKtrk)(jkl) (Entered: 07/24/2018)
07/23/2018	<u>442</u>		CONDITIONAL TRANSFER ORDER CTO-23 from the Judicial Panel on Multidistrict Litigation. Plaintiff Terrence E Cowherd, Jr. added, member case 1:18-cv-04699-TWT. (EQACtrk)(jkl) (Entered: 08/06/2018)
07/24/2018	<u>443</u>		ORDER of United States Judicial Panel on Multidistrict Litigation REINSTATING STAY OF <u>442</u> CTO-23 as to Cowherd v. Equifax, Inc. (SDTX 4:18-02230). (EQACtrk)(jkl) (Entered: 08/06/2018)
07/25/2018	<u>438</u>		Joint MOTION for Leave to File Excess Pages with Brief In Support by Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(EQCCKtrk)(Haskins, Sidney) (Entered: 07/25/2018)
07/26/2018	<u>439</u>		NOTICE of Hearing: Status Conference set for 9/26/2018 at 11:00 AM in ATLA Courtroom 2108 before Judge Thomas W. Thrash Jr., see PDF for additional details & requirements. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03463-TWT, 1:18-cv-00317-TWT(EQACtrk)(ss) (Entered: 07/26/2018)
07/26/2018	<u>440</u>		ORDER granting <u>438</u> Motion for Leave to File Excess Pages -re forthcoming motion to dismiss the Consolidated Class Action Complaint For Small Business Claims (see order for specifics ). Signed by Judge Thomas W. Thrash, Jr. on 7/26/2018. (EQCCKtrk)(ss) (Entered: 07/26/2018)
07/30/2018	<u>441</u>		MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM re <u>375</u> Consolidated Small Business Class Action Complaint with Brief In Support by Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc. (Attachments: # <u>1</u> Brief in Support)(EQCCKtrk)(Balser, David) Modified on 8/1/2018 (jkl). (Entered: 07/30/2018)

08/07/2018	<u>444</u>		TRANSFER ORDER from the Judicial Panel on Multidistrict Litigation (USDC EDVA, MORGAN v. EQUIFAX INC.). <b>This case is not linked to 17md2800 as it involves a PRO SE PLAINTIFF. See 1:18-cv-1738 TWT (EQACtrk)(jkl) (Entered: 08/08/2018)</b>
08/07/2018	<u>445</u>		TRANSFER ORDER WITH SIMULTANEOUS SEPARATION AND REMAND from the Judicial Panel on Multidistrict Litigation (USDC WDLA, IRAHETA v. EQUIFAX INFORMATION SERVICES LLC, ET AL., Civil Action No. 5:17-01363). (EQACtrk)(jkl) (Entered: 08/08/2018)
08/08/2018	<u>446</u>		Joint MOTION for Extension of Time to Extend Briefing Schedule for Defendants' Motion to Dismiss the Financial Institutions' Consolidated Amended Complaint by ALL PLAINTIFFS. (Attachments: # <u>1</u> Text of Proposed Order)(EQFitrk)(Guglielmo, Joseph) (Entered: 08/08/2018)
08/09/2018	<u>447</u>		STIPULATION and PROPOSED ORDER for the Production of Documents and ESI by ALL PLAINTIFFS. (EQACtrk)(Guglielmo, Joseph) Modified on 8/10/2018 (jkl). (Entered: 08/09/2018)
08/09/2018	<u>448</u>		ORDER granting <u>446</u> Motion for Extension of Time to Respond to Defendants' Motion to Dismiss the Financial Institutions' Consolidated Amended Complaint. <b>Plaintiffs' opposition to the motion to dismiss is due by 9/20/2018; Defendants' reply brief is due by 11/1/2018.</b> Signed by Judge Thomas W. Thrash, Jr. on 8/9/18. (EQFitrk)(jkl) (Entered: 08/09/2018)
08/10/2018	<u>449</u>		Stipulated ORDER regarding Production of Documents and ESI Protocol. Signed by Judge Thomas W. Thrash, Jr. on 8/10/2018. (EQACtrk)(ss) (Entered: 08/10/2018)
08/12/2018	<u>450</u>		NOTICE of Appearance by Scott Lesowitz on behalf of Carson Block (EQCCtrk)(Lesowitz, Scott) (Entered: 08/12/2018)
08/12/2018	<u>451</u>		MOTION for Discovery – <i>Separate Discovery Track</i> with Brief In Support by Carson Block. (Attachments: # <u>1</u> Brief, # <u>2</u> Text of Proposed Order)(EQCCtrk)(Lesowitz, Scott) (Entered: 08/12/2018)
08/13/2018	<u>452</u>		RESPONSE in Opposition re <u>425</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by ALL PLAINTIFFS. (Attachments: # <u>1</u> Appendix A – Scierter, # <u>2</u> Appendix B – Consumer Transactions, # <u>3</u> Appendix C – Duty to Disclose)(EQCCtrk)(Siegel, Norman) (Entered: 08/13/2018)
08/21/2018	<u>453</u>		CONDITIONAL TRANSFER ORDER CTO-24 from the Judicial Panel on Multidistrict Litigation. Plaintiff Chris Brown added, member case 1:17-cv-03449-TWT.

			(EQACtrk)(jkl) (Entered: 08/21/2018)
08/21/2018	<u>454</u>		NOTICE of Change of Address for Jon Lambiras and Sherrie Savett, counsel for Joseph Clark, Meghan Clark and Ruth Reyes (EQCCtrk)(Lambiras, Jon) Modified on 8/22/2018 (jkl). (Entered: 08/21/2018)
08/23/2018	<u>455</u>		MOTION to Withdraw Stephen D. Susman as Attorney by Marc LaGasse, Andrea E. Petrungaro. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(EQACtrk)(Susman, Stephen) (Entered: 08/23/2018)
08/29/2018	<u>456</u>		CONDITIONAL TRANSFER ORDER CTO-25 from the Judicial Panel on Multidistrict Litigation. Added Plaintiffs Fond du Lac Band of Lake Superior Chippewa (1:18-cv-04257-TWT) and St. Croix Chippewa Indians of Wisconsin (1:18-cv-04258-TWT). (EQACtrk)(jkl) (Entered: 08/29/2018)
09/04/2018	<u>457</u>		MOTION to Withdraw Joseph C. Bourne as Attorney by Joseph Henderson, Dawn Appel, Jody and Kevin Burgstahler, Robert Etten, Jennifer Harris and Glenn Jaspers. (Attachments: # <u>1</u> Text of Proposed Order) (EQCCtrk)(Bourne, Joseph) Modified on 9/5/2018 to edit docket text (ddm). (Entered: 09/04/2018)
09/06/2018	<u>458</u>		STIPULATION <i>and Proposed Order Governing Privilege Logs</i> by ALL PLAINTIFFS. (EQACtrk)(Guglielmo, Joseph) (Entered: 09/06/2018)
09/06/2018	<u>459</u>		MOTION to Remand to State Court with Brief In Support by Craig Ward, Mary Warren, Todd Warren, Teri Weatherly. (Attachments: # <u>1</u> Memorandum, # <u>2</u> Certificate of Service)(EQCCtrk)(Smith, Michael) (Entered: 09/06/2018)
09/06/2018	<u>460</u>		ORDER GRANTING (457) Motion to Withdraw as Attorney. Attorney Joseph C. Bourne terminated in case 1:17-md-02800-TWT. Signed by Judge Thomas W. Thrash, Jr. on 9/6/2018. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-05377-TWT, 1:17-cv-05378-TWT(EQFItrk)(btql) (Entered: 09/06/2018)
09/06/2018	<u>461</u>		NOTICE by Bob Helton, Maria Schifano <i>re Change of Phone Number by Rosemary M. Rivas</i> (EQCCtrk)(Rivas, Rosemary) (Entered: 09/06/2018)
09/07/2018	<u>462</u>		Stipulation and ORDER Governing Privilege Logs. Signed by Judge Thomas W. Thrash, Jr. on 9/7/2018. (EQACtrk)(ss) (Entered: 09/07/2018)
09/10/2018	<u>463</u>		STIPULATION of Dismissal <i>Without Prejudice</i> by Coastal Communications, LLC, The Mello Group, Inc.. (EQCCtrk)(Keller, Amy) (Entered: 09/10/2018)
09/11/2018			Clerk's Entry of Dismissal APPROVING (463 in 1:17-md-02800-TWT) Stipulation of Dismissal pursuant to

			Fed.R.Civ.P.41(a)(1)(ii) of Coastal Communications, LLC, The Mello Group, Inc. without prejudice, ONLY. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03886-TWT(EQACtrk)(jkl) (Entered: 09/11/2018)
09/12/2018			Submission of <u>455</u> MOTION to Withdraw Stephen D. Susman as Attorney, <u>451</u> MOTION for Discovery – <i>Separate Discovery Track</i> , to District Judge Thomas W. Thrash Jr. (EQACtrk)(jkl) (Entered: 09/12/2018)
09/12/2018	<u>464</u>		REPLY BRIEF re <u>425</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM ( <i>Consumer Cases</i> ) filed by Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc.. (Attachments: # <u>1</u> Exhibit 1 – Product Agreement dated May 2, 2017, # <u>2</u> Exhibit 2 – First Amended Complaint in McConnell v. Georgia Department of Labor)(EQCCtrk)(Balser, David) (Entered: 09/12/2018)
09/13/2018	<u>465</u>		ORDER granting (455) Motion to Withdraw as Attorney. Attorney Stephen D. Susman terminated in case 1:17-md-02800-TWT and 1:17-cv-03745-TWT for Plaintiffs Marc LaGasse and Andrea Petrungaro. Signed by Judge Thomas W. Thrash, Jr. on 9/13/18. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03745-TWT(EQACtrk)(jkl) (Entered: 09/13/2018)
09/13/2018	<u>466</u>		ORDER ALLOWING AUDIO/VISUAL & OTHER COMPUTER EQUIPMENT IN THE COURTROOM on 9/26/2018 at 11:00 a.m. Signed by Judge Thomas W. Thrash, Jr. on 9/13/2018. (EQFIttk)(ss) (Entered: 09/13/2018)
09/13/2018	<u>467</u>		RESPONSE in Opposition re <u>441</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM re <u>375</u> Consolidated Small Business Class Action Complaint filed by ALL PLAINTIFFS. (EQCCtrk)(Siegel, Norman) (Entered: 09/13/2018)
09/18/2018	<u>468</u>		NOTICE of Appearance by Michael J. Laird on behalf of ASI Federal Credit Union, Army Aviation Center Federal Credit Union, Association of Vermont Credit Unions, Inc., Atlantic City Federal Credit Union, Aventa Credit Union, Bank of Louisiana, Bank of Zachary, California Credit Union League, Carolinas Credit Union League, Consumers Cooperative Credit Union, Cooperative Credit Union Association, Inc., Credit Union League Of Connecticut, Credit Union National Association, D.L. Evans Bank, Durand State Bank, Elements Financial Federal Credit Union, Embark Credit Union, First Choice Federal Credit Union, First Education Federal Credit Union, First Financial Credit Union, First Nebraska Credit Union, Gerber Federal Credit Union, Greater Cincinnati Credit Union, Halliburton Employees Federal Credit Union, Heartland Credit Union Association, Heritage Federal Credit Union, ICUL Service

			Corporation, Illinois Credit Union League, Independent Community Bankers of America, Indiana Credit Union League, Jonah Bank of Wyoming, League of Southeastern Credit Unions & Affiliates, MD/DC Credit Union Association, Michigan Credit Union League, Minnesota Credit Union Network, Mississippi Credit Union League, Montana Credit Union League, Mountain West Credit Union Association, Nebraska Credit Union League, Nevada Credit Union League, New York Credit Union Association, Numark Credit Union, Ohio Credit Union League, Oteen VA Federal Credit Union, Pennsylvania Credit Union Association, Putnam Bank, Ravalli County Federal Credit Union, SELCO Community Credit Union, SeaComm Federal Credit Union, Services Credit Union, Seven Seventeen Credit Union, Sky Federal Credit Union, Texas First Bank, The First State Bank, The Summit Federal Credit Union, UMassFive College Federal Credit Union, Virginia Credit Union League, Wright-Patt Credit Union (EQFIttk)(Laird, Michael) (Entered: 09/18/2018)
09/18/2018	<u>469</u>		NOTICE of Appearance of Stephen J. Kane by City Of Chicago. Associated Cases: 1:17-md-02800-TWT, 1:18-cv-01470-TWT(EQACtrk)(jkl) (Entered: 09/18/2018)
09/18/2018	<u>473</u>		NOTICE OF OPT-OUT by Paul D. Koksvik. (Attachments: # <u>1</u> envelope)(EQACtrk)(jkl) (Entered: 09/25/2018)
09/19/2018	<u>470</u>		ORDER ALLOWING AUDIO/VISUAL 7 OTHER COMPUTER EQUIPMENT IN THE COURTROOM on 9/26/2018 at 11:00 a.m., RE Counsel for Consumer Track Plaintiffs, specifically Amy Keller & Norman Siegel. Signed by Judge Thomas W. Thrash, Jr. on 9/18/2018. (EQACtrk)(ss) (Entered: 09/19/2018)
09/20/2018	<u>471</u>		RESPONSE in Opposition re <u>435</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM re <u>390</u> Financial Institutions' Consolidated Amended Complaint filed by ALL PLAINTIFFS. (Attachments: # <u>1</u> Exhibit A – Charts Summarizing State Statutory Claims, # <u>2</u> Exhibit A-1 – Elements of Unfair Practices Claims, # <u>3</u> Exhibit A-2 – Elements of Deceptive Practices Claims, # <u>4</u> Exhibit A-3 – Standing for Business Plaintiffs Under State Statutory Claims, # <u>5</u> Exhibit A-4 – Damages Under State Statutory Claims, # <u>6</u> Exhibit B – Bishop v. Shorter University, Inc.)(EQFIttk)(Guglielmo, Joseph) (Entered: 09/20/2018)
09/20/2018	<u>472</u>		Amended Certificate of Interested Persons by ALL PLAINTIFFS. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(EQCCtrk)(Keller, Amy) (Entered: 09/20/2018)
09/24/2018			Clerks Notation re <u>472</u> Amended Certificate of Interested Persons by ALL PLAINTIFFS. OK, per TWT. (EQCCtrk)(ss) (Entered: 09/24/2018)



09/25/2018			Submission of <u>459</u> MOTION to Remand to State Court to District Judge Thomas W. Thrash Jr. (EQACtrk)(jkl) (Entered: 09/25/2018)
09/25/2018	<u>474</u>		CONDITIONAL TRANSFER ORDER CTO-27 from the Judicial Panel on Multidistrict Litigation. Plaintiff Nicholas Adam Pflager added, member case 1:18-cv-04472-TWT. (EQACtrk)(jkl) (Entered: 09/25/2018)
09/26/2018	<u>475</u>		Minute Entry for proceedings held before Judge Thomas W. Thrash, Jr.: Status Conference held on 9/26/2018. here will be no blanket lifting of the stay of discovery. There may be some limited lifting. Plaintiff should file a motion so that the matter may be briefed. Equifax and individual defendants have 45 days to respond to the Block case motion for separate discovery track. The next status conference will be in mid-November; Ms. Sewell to be in contact re dates. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03463-TWT, 1:18-cv-00317-TWT(Court Reporter Wynette Blathers)(EQACtrk)(jkl) (Entered: 09/26/2018)
09/28/2018	<u>476</u>		TRANSCRIPT of Status Conference held on September 26, 2018, before Judge Thomas W. Thrash, Jr. Court Reporter Wynette C. Blathers, Telephone number (404) 215-1547. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 10/19/2018. Redacted Transcript Deadline set for 10/29/2018. Release of Transcript Restriction set for 12/27/2018. (Attachments: # <u>1</u> Notice of Filing Transcript) (EQACtrk)(wxb) (Entered: 09/28/2018)
10/02/2018	<u>477</u>		Supplemental Letter Regarding 9/26 Status re <u>385</u> MOTION for Order Establishing Separate Track for Governmental Enforcement Actions by City Of Chicago (EQACtrk)(Kane, Stephen) Modified on 10/3/2018 (jkl). (Entered: 10/02/2018)
10/02/2018	<u>478</u>		CONDITIONAL TRANSFER ORDER CTO-28 AND SIMULTANEOUS SEPARATION AND REMAND OF CERTAIN CLAIMS from the Judicial Panel on Multidistrict Litigation RE Pawlowski v. U.S. Dept. of Education, et al. Counts 1, 2, 3, 4, 5, 6, 7, 8, 10 and 11 of this action, which do not relate to the 2017 Equifax data breach, are separated and simultaneously remanded to the Eastern District of Virginia. Modified on 4/17/2019 to amend docket text (jdb). (EQACtrk)(jkl) (Entered: 10/02/2018)
10/02/2018			NOTICE of Hearing on Motions. Motion Hearing set for 12/14/2018 at 09:30 AM in ATLA Courtroom 2108 before Judge Thomas W. Thrash Jr. re: <u>435</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM re <u>390</u> Financial Institutions' Consolidated Amended Complaint;

			<u>425</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM (Consumer Cases); <u>441</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM re <u>375</u> Consolidated Small Business Class Action Complaint. Consumer Plaintiffs allowed one hour, Financial Institutions Plaintiffs allowed one hour and Small Business Plaintiffs allowed 30 minutes for argument. Equifax is allowed a total of 2 and 1/2 hours for argument. The Court will allow monitoring only of the hearing and Mr. Worley is tasked with making those arrangements.(EQACtrk)(ss) (Entered: 10/02/2018)
10/02/2018	<u>479</u>		NOTICE of Hearing: Status Conference set for 11/28/2018 at 10:00 AM in ATLA Courtroom 2108 before Judge Thomas W. Thrash Jr., proposed agenda to be e-mailed to S. Sewell by 11/27/2018, 2:00 p.m. Mr. Worley to provide call center for leadership counsel not appearing in person. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03463-TWT, 1:18-cv-00317-TWT(EQACtrk)(ss) (Entered: 10/02/2018)
10/03/2018	<u>480</u>		NOTICE by Julia Gutierrez, Richard Spicer <i>Notice of Change of Contact Information</i> (EQCCtrk)(Gibbs, Eric) (Entered: 10/03/2018)
10/05/2018	<u>481</u>		CONDITIONAL TRANSFER ORDER (doc. 899) from the Judicial Panel on Multidistrict Litigation. Added Janet Kerobyan (Janet Kerobyan), Jesse W. Potente (1:18-cv-03327-TWT), Debra Lee (1:17-cv-05028-TWT), Terrence E Cowherd, Jr. (1:18-cv-04699-TWT). (EQACtrk)(jkl) (Entered: 10/09/2018)
10/05/2018	<u>482</u>		ORDER VACATING CONDITIONAL REMAND ORDER by United States Judicial Panel on Multidistrict Litigation re: CASPER v. EQUIFAX, INC., 1:18-cv-01511-TWT. <i>Casper</i> will remain in the NDGA. (EQACtrk)(jkl) (Entered: 10/09/2018)
10/09/2018	<u>483</u>		NOTICE by ALL PLAINTIFFS re <u>452</u> Response in Opposition to Motion, <u>467</u> Response in Opposition to Motion <i>Notice of Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A)(EQCCtrk)(Siegel, Norman) (Entered: 10/09/2018)
10/10/2018	<u>484</u>		CONDITIONAL TRANSFER ORDER CTO-29 from the Judicial Panel on Multidistrict Litigation. Plaintiff Irvin E. Caraway, II added, member case 1:18-cv-04753-TWT. (EQACtrk)(jkl) (Entered: 10/11/2018)
10/15/2018	<u>485</u>		REPLY BRIEF re <u>441</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM re <u>375</u> Consolidated Small Business Class Action Complaint filed by Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc.. (Attachments: # <u>1</u> Exhibit 1 – McConnell III First

			Amended Complaint)(EQCctrk)(Balser, David) (Entered: 10/15/2018)
10/22/2018	<u>486</u>		RESPONSE re <u>459</u> MOTION to Remand to State Court filed by Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc.. (EQCctrk)(Balser, David) (Entered: 10/22/2018)
10/22/2018	<u>487</u>		RESPONSE in Opposition re <u>459</u> MOTION to Remand to State Court filed by ALL PLAINTIFFS. (EQCctrk)(Siegel, Norman) (Entered: 10/22/2018)
10/22/2018	<u>488</u>		MOTION for Limited Relief From Discovery Stay and MOTION for Entry of Order Relating to Interviews of Exhibit Ex. 2 – Siegel Decl., # <u>4</u> Exhibit Ex. 3 – Bursey Decl., # <u>5</u> Exhibit Ex. 4 – Walters Decl., # <u>6</u> Exhibit Ex. 5 – Provisionally Sealed, # <u>7</u> Exhibit Ex. 6 – Provisionally Sealed, # <u>8</u> Exhibit Ex. 7 – 08/25/09 Order in Bagwell v. Peachtree Doors(EQACtrk)(Siegel, Norman). Added MOTION for Order on 3/21/2019 (sap). Modified on 3/22/2019 (dgs). (Entered: 10/22/2018)
10/22/2018	<u>489</u>		<b>PROVISIONALLY SEALED</b> NOTICE Of Filing re <u>488</u> MOTION for Relief From Discovery Stay (Attachments: # <u>1</u> Ex. 6)(EQACtrk)(Siegel, Norman) (Entered: 10/22/2018)
10/22/2018	<u>490</u>		MOTION for Leave to File Matters Under Seal re: <u>489</u> Notice of Filing by ALL PLAINTIFFS. (Attachments: # <u>1</u> Text of Proposed Order)(EQACtrk)(Siegel, Norman) (Entered: 10/22/2018)
10/22/2018	<u>491</u>		RESPONSE in Opposition re <u>350</u> MOTION to Remand to State Court ( <i>total 100 Plaintiffs</i> ) filed by Equifax, Inc.. (EQCctrk)(Balser, David) (Entered: 10/22/2018)
10/23/2018	<u>492</u>		CONDITIONAL TRANSFER ORDER CTO–30 from the Judicial Panel on Multidistrict Litigation. Plaintiff Khanh Nguyen added, member case 1:18–cv–04920–TWT. (EQACtrk)(jkl) (Entered: 10/23/2018)
10/24/2018	<u>493</u>		NOTICE by Dan Lang, Russell Pantek of <i>Withdrawal of Thomas A. Zimmerman, Jr. as Counsel for All Parties</i> (EQACtrk)(Zimmerman, Thomas) (Entered: 10/24/2018)
10/29/2018	<u>494</u>		MOTION for Extension of Time to File Response re: <u>488</u> MOTION for Relief From Discovery Stay by Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(EQACtrk)(Haskins, Sidney) (Entered: 10/29/2018)
10/30/2018	<u>495</u>		RESPONSE re <u>483</u> Notice (Other) <i>Equifax's Response to Consumer and Small Business Plaintiffs' Notice of Supplemental Authority</i> filed by Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc.. (EQCctrk)(Balser, David) (Entered: 10/30/2018)



11/01/2018	<u>496</u>		ORDER granting <u>494</u> Motion for Extension of Time. Equifax shall have until November 9, 2018 within which to file its response to Plaintiffs' <u>488</u> Motion for Limited Relief from Discovery Stay and Entry of Order Relating to Interviews of Defendants' Former Employees. Signed by Judge Thomas W. Thrash, Jr. on 11/1/18. (EQACtrk)(jkl) (Entered: 11/01/2018)
11/01/2018	<u>497</u>		REPLY BRIEF re <u>435</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM re <u>390</u> Financial Institutions' Consolidated Amended Complaint filed by Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc.. (Attachments: # <u>1</u> Exhibit 1 – First Amended Complaint, McConnell v. Ga. Dept of Labor, # <u>2</u> Exhibit 2 – Brief of Appellant, McConnell v. Ga. Dept of Labor, # <u>3</u> Exhibit 3 – Complaint, Collins v. Athens Orthopedic Clinic)(EQFItk)(Balser, David) (Entered: 11/01/2018)
11/05/2018			Submission of <u>425</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM, <u>435</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM re <u>390</u> Financial Institutions' Consolidated Amended Complaint, <u>441</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM re <u>375</u> Consolidated Small Business Class Action Complaint to District Judge Thomas W. Thrash Jr. (EQACtrk)(jkl) (Entered: 11/05/2018)
11/06/2018	<u>498</u>		Certification of Consent to Substitution of Counsel. Alan M. Briskin, David M. Messer, Aaron M. Danzig and Edward A. Marshall for Defendant Susan Mauldin replacing attorney Joseph Wetzel. (EQCCtrk)(Haskins, Sidney) Withdrawing and Appearing Attorneys Corrected on 11/14/2018 (sap). (Entered: 11/06/2018)
11/06/2018	<u>499</u>		Certification of Consent to Substitution of Counsel. Aaron M. Danzig and Edward A. Marshall for Defendant Joe Sanders replacing attorney Joseph Wetzel. (EQCCtrk)(Haskins, Sidney) Withdrawing and Appearing Attorneys Corrected on 11/14/2018 (sap). (Entered: 11/06/2018)
11/07/2018	<u>500</u>		RESPONSE in Support re <u>350</u> MOTION to Remand to State Court filed by Ashley Abramson, Katiushka Rebeca Acosta-Smith, and 98 other Plaintiffs ( <i>total 100 Plaintiffs</i> ). (EQACtrk)(Wilens, Jeffrey) (Entered: 11/07/2018)
11/08/2018	<u>501</u>		Certification of Consent to Substitution of Counsel. Anthony L. Cochran for Defendant Graeme Payne replacing attorney Joseph Wetzel. (EQCCtrk)(Haskins, Sidney) Withdrawing and Appearing Attorneys Corrected on 11/14/2018 (sap). (Entered: 11/08/2018)
11/09/2018	<u>502</u>		

			NOTICE of Change of Address for John G. Emerson, counsel for Caralyn Tada (EQCCtrk)(Emerson, John) (Entered: 11/09/2018)
11/09/2018	<u>503</u>		RESPONSE re <u>488</u> MOTION for Relief From Discovery Stay and Entry of Order Relating to Interviews of Defendants' Former Employees filed by Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc.. (Attachments: # <u>1</u> Exhibit A Proposed Order, # <u>2</u> Exhibit B Oct. 30, 2018 Email from Equifax to Plaintiffs, # <u>3</u> Exhibit C May 16, 2018 Letter from Plaintiffs to Equifax, # <u>4</u> Exhibit D June 6, 2018 Letter from Equifax to Plaintiffs, # <u>5</u> Exhibit E July 17–18, 2018 Emails Between Equifax & Plaintiffs, # <u>6</u> Exhibit F September 19, 2018 Email from Equifax to Plaintiffs, # <u>7</u> Exhibit G Declaration of Phyllis Sumner, # <u>8</u> Exhibit H Oct. 18, 2018 Letter from Equifax to Plaintiffs, # <u>9</u> Exhibit I Nov. 5, 2018 Email from Plaintiffs to Equifax)(EQACtrk)(Balser, David) (Entered: 11/09/2018)
11/12/2018	<u>504</u>		RESPONSE in Opposition re <u>451</u> MOTION for Discovery – <i>Separate Discovery Track</i> filed by Susan Mauldin, Joe Sanders. (EQCCtrk)(Marshall, Edward) (Entered: 11/12/2018)
11/12/2018	<u>505</u>		RESPONSE in Opposition re <u>451</u> MOTION for Discovery – <i>Separate Discovery Track</i> filed by Consumer Plaintiffs. (EQCCtrk)(Siegel, Norman) (Entered: 11/12/2018)
11/13/2018	<u>506</u>		RESPONSE in Opposition re <u>451</u> MOTION for Discovery – <i>Separate Discovery Track</i> filed by Cliff Barbier, Harold Boutin, Equifax, Inc., Robert Friedrich, Shea Giesler, Mary Hannan, Vidya Sagar Jagadam, Lara Pearson. (EQCCtrk)(Balser, David) (Entered: 11/13/2018)
11/13/2018	<u>507</u>		RESPONSE in Opposition re <u>451</u> MOTION for Discovery – <i>Separate Discovery Track</i> filed by Richard F. Smith. (EQCCtrk)(Chaiken, David) (Entered: 11/13/2018)
11/13/2018	<u>510</u>		NOTICE of Appearance by Steven G. Madison on behalf of Richard F. Smith (sap) (Entered: 11/16/2018)
11/13/2018	<u>511</u>		NOTICE of Appearance by Michael E. Liftik on behalf of Richard F. Smith (sap) (Entered: 11/16/2018)
11/13/2018	<u>512</u>		NOTICE of Appearance by Meghan A. McCaffrey on behalf of Richard F. Smith (sap) (Entered: 11/16/2018)
11/14/2018	<u>508</u>		NOTICE of Appearance by Anthony L. Cochran on behalf of Graeme Payne (EQCCtrk)(Cochran, Anthony) (Entered: 11/14/2018)
11/14/2018	<u>509</u>		MOTION to Adopt Equifax Co–Defendants' <u>506</u> Response in Opposition to Plaintiff Carson Block's <u>451</u> MOTION for Discovery – <i>Separate Discovery Track</i> by Graeme Payne. (Attachments: # <u>1</u> Text of Proposed

			Order)(EQCCtrk)(Cochran, Anthony) (Entered: 11/14/2018)
11/21/2018	<u>513</u>		REPLY in Support re <u>459</u> MOTION to Remand to State Court filed by Craig Ward, Mary Warren, Todd Warren, Teri Weatherly. (Attachments: # <u>1</u> Certificate of Service)(EQCCtrk)(Smith, Michael) (Entered: 11/21/2018)
11/21/2018	<u>514</u>		REPLY in Opposition re <u>487</u> RESPONSE in Opposition to <u>459</u> MOTION to Remand to State Court filed by Craig Ward, Mary Warren, Todd Warren, Teri Weatherly. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Certificate of Service)(EQCCtrk)(Smith, Michael) (Entered: 11/21/2018)
11/23/2018	<u>515</u>		REPLY to Response to Motion re <u>488</u> MOTION for Relief From Discovery Stay filed by ALL PLAINTIFFS. (Attachments: # <u>1</u> Ex. 8, # <u>2</u> Ex. 9, # <u>3</u> Ex. 10)(EQACtrk)(Siegel, Norman) (Entered: 11/23/2018)
11/26/2018	<u>516</u>		ORDER ALLOWING AUDIO/VISUAL & OTHER COMPUTER EQUIPMENT IN THE COURTROOM on 11/28/2018 at 10:00 a.m. Signed by Judge Thomas W. Thrash, Jr. on 11/26/2018. (EQACtrk)(ss) (Entered: 11/26/2018)
11/26/2018	<u>517</u>		ORDER ALLOWING AUDIO/VISUAL & OTHER COMPUTER EQUIPMENT IN THE COURTROOM on 11/28/2018 at 10:00 a.m. Signed by Judge Thomas W. Thrash, Jr. on 11/26/2018. (EQCCtrk)(ss) (Entered: 11/26/2018)
11/26/2018			NOTICE OF CANCELLATION of Hearing re: Status Conference set for 11/28/2018 at 10:00 AM in ATLA Courtroom 2108 before Judge Thomas W. Thrash. The date for the next status conference will be determined at a later date.Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03463-TWT, 1:18-cv-00317-TWT(EQACtrk)(ss) (Entered: 11/26/2018)
11/27/2018			Submission of <u>488</u> MOTION for Relief From Discovery Stay and <u>490</u> MOTION for Leave to File Matters Under Seal re: <u>489</u> Notice of Filing to District Judge Thomas W. Thrash Jr. (EQACtrk) (sap) (Entered: 11/27/2018)
11/27/2018	<u>518</u>		MOTION to Withdraw Jack III Atnip as Attorney by Robert Mobbs. (Attachments: # <u>1</u> Text of Proposed Order)(EQCCtrk)(Cashman, Michael) Withdrawing Attorney Modified on 11/28/2018 (sap). (Entered: 11/27/2018)
11/27/2018	<u>519</u>		MOTION to Withdraw Richard M. Hagstrom as Attorney by John Benavidez, Veronika Benavidez, Brian A. Cadwallader, Jose Calderon, Marilyn Dorsey, Nicole Grafton, Michael Nehring, York Taenzer, Barbara Westbrook, Cherie Williams, and Marty Super. (Attachments: # <u>1</u> Text of Proposed Order)(EQCCtrk)(Cashman, Michael) Filers and

			Withdrawing Attorney Modified on 11/28/2018 (sap). (Entered: 11/27/2018)
11/28/2018	<u>520</u>		NOTICE by Carson Block re <u>451</u> MOTION for Discovery – <i>Separate Discovery Track</i> – <i>Notice re: December 7, 2018, Reply Date</i> (EQCCKtrk)(Lesowitz, Scott) (Entered: 11/28/2018)
11/28/2018	<u>521</u>		ORDER ALLOWING AUDIO/VISUAL AND OTHER COMPUTER EQUIPMENT IN THE COURTROOM on 11/29/2018 at 3:00 pm for training purposes. Signed by Judge Thomas W. Thrash, Jr. on 11/28/2018. (EQACtrk)(ss) (Entered: 11/28/2018)
11/28/2018	<u>522</u>		ORDER GRANTING Attorney Richard M. Hagstrom's <u>519</u> Motion to Withdraw as Counsel of record for Plaintiffs Jose Calderon, Barbara Westbrook, John Benavidez, Veronika Benavidez, Cherie Williams, York Taenzer, Marilyn Dorsey, Nicole Grafton, Michael Nehring, Brian Cadwallader, and Marty Super. Signed by Judge Thomas W. Thrash, Jr. on 11/28/2018. (Associated Cases: 1:17-md-02800-TWT, 1:17-cv-4389-TWT, 1:17-cv-5276-TWT, 1:17-cv-5311-TWT, 1:17-cv-5375-TWT, and 1:17-cv-5379-TWT) (EQACtrk) (sap) (Entered: 11/29/2018)
11/28/2018	<u>523</u>		ORDER GRANTING Attorney Jack III Atnip's <u>518</u> Motion to Withdraw as Counsel of record for Plaintiff Robert Mobbs. Signed by Judge Thomas W. Thrash, Jr. on 11/28/2018. (Associated Cases: 1:17-md-02800-TWT and 1:17-cv-05361-TWT) (EQACtrk) (sap) (Entered: 11/29/2018)
11/29/2018			Docket ORDER APPROVING agreement that plaintiff Block's reply re (451 in 1:17-md-02800-TWT) MOTION for Discovery – <i>Separate Discovery Track</i> filed by Carson Block is due no later than 12/7/2018. At the direction of Judge Thomas W. Thrash, Jr. on 11/29/2018. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-05341-TWT(EQCCtrk)(ss) (Entered: 11/29/2018)
12/06/2018	<u>524</u>		REPLY in Support re <u>451</u> MOTION for Discovery – <i>Separate Discovery Track</i> filed by Carson Block. (EQCCtrk)(Lesowitz, Scott) Modified on 12/7/2018 (sap). (Entered: 12/06/2018)
12/06/2018	<u>526</u>		CONDITIONAL TRANSFER ORDER (CTO31) from the Judicial Panel on Multidistrict Litigation. Added Plaintiffs Denise G. Link, member case 1:18-cv-05621-TWT, Dennis W. Link, member case 1:18-cv-05620-TWT, and Denis Dreni, member case 1:18-cv-05816-TWT. (EQACtrk) (sap) (Entered: 12/10/2018)
12/06/2018	<u>527</u>		CONDITIONAL TRANSFER ORDER (Doc 924) from the Judicial Panel on Multidistrict Litigation. Added Plaintiff

			Davedia Sharmaine Lamar, member case 1:18-cv-05685-TWT and Plaintiff Commonwealth of Puerto Rico, member case 1:18-cv-05611-TWT. (EQACtrk) (sap) (Entered: 12/10/2018)
12/07/2018	<u>525</u>		APPLICATION for Admission of Thomas J. Connick Pro Hac Vice (Application fee \$ 150, receipt number 113E-8315951)by Jackie L Agosto. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order Granting Admission PHV to T. Connick)(EQACtrk)(Moore, Patrick) (Entered: 12/07/2018)
12/07/2018	<u>528</u>		CONDITIONAL TRANSFER ORDER (Doc 925) from the Judicial Panel on Multidistrict Litigation. Plaintiff Christopher J Bordelon added, member case 1:18-cv-05609-TWT. (EQACtrk) (sap) (Entered: 12/10/2018)
12/10/2018	<u>529</u>		ORDER ALLOWING AUDIO/VISUAL & OTHER COMPUTER EQUIPMENT IN THE COURTROOM on 12/14/2018 at 9:30 a.m. as to J. Guglielmo, E. Comite & G. Lynch. Signed by Judge Thomas W. Thrash, Jr. on 12/10/2018. (EQFitrk)(ss) (Entered: 12/10/2018)
12/10/2018	<u>530</u>		ORDER ALLOWING AUDIO/VISUAL & OTHER COMPUTER EQUIPMENT IN THE COURTROOM on 12/14/2018 at 9:30 a.m., as to N. Siegel, A. Keller, B. Vahle & J. Pizzirusso. Signed by Judge Thomas W. Thrash, Jr. on 12/10/2018. (EQCCtrk)(ss) (Entered: 12/10/2018)
12/11/2018	<u>531</u>		ORDER ALLOWING AUDIO/VISUAL & OTHER COMPUTER EQUIPMENT IN THE COURTROOM on 12/14/2018 at 9:30 a.m., as to R. Holtzen. Signed by Judge Thomas W. Thrash, Jr. on 12/11/2018. (EQACtrk)(ss) (Entered: 12/11/2018)
12/12/2018	<u>532</u>		NOTICE of Supplemental Authority in Support of <u>488</u> MOTION for Relief From Discovery Stay by ALL PLAINTIFFS (Attachments: # <u>1</u> Exhibit A: Majority Staff Report, # <u>2</u> Exhibit B: Press Release Announcing Report)(EQACtrk)(Barnes, Roy) (Entered: 12/12/2018)
12/12/2018	<u>533</u>		ORDER ALLOWING AUDIO/VISUAL & OTHER COMPUTER EQUIPMENT IN THE COURTROOM on 12/14/2018 at 9:30 a.m. as to David Perera, Mlex. Signed by Judge Thomas W. Thrash, Jr. on 12/12/2018. (EQACtrk) (sap) (Entered: 12/12/2018)
12/14/2018	<u>534</u>		Minute Entry for proceedings held before Judge Thomas W. Thrash, Jr.: MOTION HEARING held on 12/14/2018 re the Defendants' <u>425</u> , <u>435</u> , and <u>441</u> Motions to Dismiss for Failure to State a Claim. The Court will issue a written order as soon as possible. (Court Reporter Susan Baker) (EQACtrk) (sap) (Entered: 12/17/2018)

12/17/2018	<u>535</u>		NOTICE of Voluntary Dismissal filed by Kevin O'Neill (EQACtrk)(Bain, David) (Entered: 12/17/2018)
12/18/2018			Submission of <u>509</u> MOTION to Adopt Equifax Co-Defendants' <u>506</u> Response in Opposition to Plaintiff Carson Block's <u>451</u> MOTION for Discovery – <i>Separate Discovery Track</i> to District Judge Thomas W. Thrash Jr. (EQACtrk) (sap) (Entered: 12/18/2018)
12/19/2018			Submission of ( <u>509</u> in 1:17-md-02800-TWT) MOTION to Adopt Equifax Co-Defendants' <u>506</u> Response in Opposition to Plaintiff Carson Block's <u>451</u> MOTION for Discovery – <i>Separate Discovery Track</i> and (57 in 1:17-cv-05341-TWT) MOTION to Adopt Equifax Co-Defendants' Response in Opposition to Plaintiff Block's Motion to Establish A Separate Discovery Track to District Judge Thomas W. Thrash Jr. (Associated Cases: 1:17-md-02800-TWT, 1:17-cv-05341-TWT) (EQACtrk) (sap) (Entered: 12/19/2018)
12/19/2018			Clerk's Entry of Dismissal APPROVING ( <u>535</u> in 1:17-md-02800-TWT) and (19 in 1:17-cv-03523-TWT) Notice of Voluntary Dismissal by Kevin O'Neill without prejudice pursuant to Fed.R.Civ.P.41(a)(1)(A)(i). (Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03523-TWT) (EQACtrk) (sap) (Entered: 12/19/2018)
12/21/2018			APPROVAL by Clerks Office re: <u>525</u> APPLICATION for Admission of Thomas J. Connick Pro Hac Vice (Application fee \$ 150, receipt number 113E-8315951). Attorney Thomas J. Connick added appearing on behalf of ALL PLAINTIFFS, Jackie L Agosto (EQACtrk)(pmb) (Entered: 12/21/2018)
01/02/2019	<u>536</u>		ORDER GRANTING <u>525</u> Application for Admission of Thomas J. Connick Pro Hac Vice in case 1:17-md-02800-TWT. Signed by Judge Thomas W. Thrash, Jr. on 1/2/2019. (Associated Cases: 1:17-md-02800-TWT, 1:18-cv-01150-TWT) (EQACtrk) (sap) (Entered: 01/02/2019)
01/18/2019	<u>538</u>		CONDITIONAL TRANSFER ORDER (CTO32) from the Judicial Panel on Multidistrict Litigation. Plaintiff Red Cliff Band of Lake Superior Chippewa added, member case 1:19-cv-00420-TWT. (EQACtrk) (sap) (Entered: 01/24/2019)
01/23/2019	<u>537</u>		MOTION to Withdraw Roger Slade and Rebecca N. Casamayor as Attorney with Brief In Support by Gregg Podalsky, Eileen Sue Samilow. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(EQACtrk)(Slade, Roger) Modified on 1/24/2019 (sap). (Entered: 01/23/2019)
01/28/2019	<u>539</u>		OPINION AND ORDER GRANTING IN PART AND DENYING IN PART the Defendants' <u>435</u> Motion to



			Dismiss the Financial Institutions Consolidated Amended Complaint. It is GRANTED as to the Financial Institutions and the Associations. It is DENIED as to the Financial Institution Card Issuers. Signed by Judge Thomas W. Thrash, Jr. on 1/28/2019. (EQACtrk) (sap) (Entered: 01/28/2019)
01/28/2019	<u>540</u>		OPINION AND ORDER GRANTING IN PART AND DENYING IN PART the Defendants' <u>425</u> Motion to Dismiss the Consolidated Consumer Class Action Complaint. Signed by Judge Thomas W. Thrash, Jr. on 1/28/2019. (EQACtrk) (sap) (Entered: 01/28/2019)
01/28/2019	<u>541</u>		OPINION AND ORDER GRANTING the Defendants' <u>441</u> Motion to Dismiss the Consolidated Small Business Class Action Complaint. Signed by Judge Thomas W. Thrash, Jr. on 1/28/2019. (EQACtrk) (sap) (Entered: 01/28/2019)
01/30/2019	<u>542</u>		NOTICE of Hearing: Status Conference set for 2/19/2019 at 02:00 PM in ATLA Courtroom 2108 before Judge Thomas W. Thrash Jr. The Court requests that counsel confer, and if able, prepare a proposed agenda and forward to the Court by Tuesday February 19, 2019 9:00 a.m. by email to Ms. Sewell. The Court also requests that Mr. David Worley provide a call center for leadership counsel that wish to monitor by telephone.. Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03463-TWT, 1:18-cv-00317-TWT(EQACtrk)(ss) (Entered: 01/30/2019)
02/05/2019	<u>554</u>		CONDITIONAL TRANSFER ORDER CTO-33 from the Judicial Panel on Multidistrict Litigation. (Kruse v. Equifax Inc. from District of Minnesota, Our Case Number 1:19-cv-00879-TWT) (EQACtrk) (sap) (Entered: 02/12/2019)
02/06/2019	<u>543</u>		Amended JOINT PRELIMINARY REPORT AND DISCOVERY PLAN filed by ALL PLAINTIFFS. (EQACtrk)(Keller, Amy) (Entered: 02/06/2019)
02/06/2019	<u>544</u>		Consent MOTION for Extension of Time to File Answer to the Consolidated Consumer Complaint by Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(EQCCtrk)(Balser, David) (Entered: 02/06/2019)
02/07/2019	<u>545</u>		ORDER: The Court has considered Defendants <u>544</u> Consent Motion to Extend the Deadline for Defendants to Answer the Consolidated Consumer Complaint. The Motion is GRANTED. Defendants deadline to answer the Consolidated Consumer Class Action Complaint is extended through and including February 25, 2019. No other dates in the <u>260</u> Scheduling Order are affected by this Order. Signed by Judge Thomas W. Thrash, Jr. on 2/7/19. (EQCCtrk)(bnw) (Entered: 02/07/2019)

02/07/2019	<u>546</u>		Joint MOTION to Set Deadlines by Equifax Information Services LLC, Equifax, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(EQFItrk)(Haskins, Sidney) (Entered: 02/07/2019)
02/08/2019	<u>547</u>		SCHEDULING ORDER: re: <u>543</u> Joint Preliminary Report and Discovery Plan. See order for additional deadline details. Class Certification Motions by Consumer Track Cased due 7/14/2020. Class Certification Motions by Financial Institutions Track Cases due 7/28/2020. SEE ORDER FOR EXTENDED Response and Reply due dates. Fact Discovery Closes 12/30/2019. Expert Discovery Closes on 5/19/2020. Summary Judgment Motion by Consumer Track Cased due by 9/22/2020. Summary Motions due by Financial Institutions Track 10/6/2020. SEE ORDER FOR EXTENDED Response and Reply due dates. Signed by Judge Thomas W. Thrash, Jr. on 2/7/2019. (EQACtrk)(ss) (Entered: 02/08/2019)
02/08/2019	<u>548</u>		MOTION for Clarification <i>as to Individual Defendants Richard F. Smith, Susan Mauldin, Graeme Payne, Mary Hannan, Harold Boutin, Robert Friedrich, Vidya Sagar Jagadam, Lara Pearson, Shea Giesler, Cliff Barbier, and Joe Sanders (collectively "Individual Defendants")</i> with Brief In Support by Susan Mauldin, Joe Sanders. (Attachments: # <u>1</u> Text of Proposed Order)(EQCCtrk)(Marshall, Edward) (Entered: 02/08/2019)
02/08/2019	<u>549</u>		NOTICE of Change of Address for Jason R. Doss, counsel for ALL PLAINTIFFS (EQACtrk)(Doss, Jason) (Entered: 02/08/2019)
02/08/2019	<u>550</u>		ORDER granting <u>546</u> Joint Motion to Set Deadlines. See <b>Order for more details</b> . Signed by Judge Thomas W. Thrash, Jr. on 2/8/19. (EQFItrk)(bnw) (Entered: 02/08/2019)
02/11/2019	<u>551</u>		NOTICE of Voluntary Dismissal <i>of Christian Duke and Dale Miller as Named Plaintiffs</i> filed by Christian Duke, Dale Miller (EQCCtrk)(Robbins, Brian) (Entered: 02/11/2019)
02/11/2019	<u>552</u>		ORDER ALLOWING AUDIO/VISUAL & OTHER COMPUTER EQUIPMENT IN THE COURTROOM on 2/19/2019 at 2:00 pm as to counsel Guglielmo and Lynch. Signed by Judge Thomas W. Thrash, Jr. on 2/11/2019. (EQFItrk)(ss) (Entered: 02/11/2019)
02/11/2019	<u>555</u>		CONDITIONAL TRANSFER ORDER CTO-34 from the Judicial Panel on Multidistrict Litigation. Plaintiffs Peter E. Lander and Jamal e. Lander added, member case number 1:19-cv-00743-TWT. (EQACtrk) (sap) (Entered: 02/12/2019)
02/12/2019	<u>553</u>		ORDER GRANTING Counsel Rebecca Casamayor and Roger Slade's <u>537</u> Motion to Withdraw as Attorney for



			Plaintiffs, Eileen Sue Samilow and Gregg Podalsky. Signed by Judge Thomas W. Thrash, Jr. on 2/11/2019. (EQACtrk) (sap) (Entered: 02/12/2019)
02/12/2019	<u>556</u>		CONDITIONAL TRANSFER ORDER (Doc 942) from the Judicial Panel on Multidistrict Litigation. Plaintiff Jason A Smith added, member case number 1:19-cv-00744-TWT. (EQACtrk) (sap) (Entered: 02/12/2019)
02/13/2019			Clerk's Entry of Dismissal APPROVING (14 in 1:17-cv-03765-TWT) and ( <u>551</u> in 1:17-md-02800-TWT) Notice of Voluntary Dismissal by Plaintiffs Christian Duke and Dale Miller pursuant to Fed.R.Civ.P.41(a)(1)(A)(i). (Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03765-TWT) (EQACtrk) (sap) (Entered: 02/13/2019)
02/13/2019	<u>557</u>		ORDER ALLOWING AUDIO/VISUAL & OTHER COMPUTER EQUIPMENT IN THE COURTROOM on 2/19/2019 at 2:00 pm as to K.Bates & P. Schneider. Signed by Judge Thomas W. Thrash, Jr. on 2/12/2019. (EQACtrk)(ss) (Entered: 02/13/2019)
02/13/2019	<u>558</u>		ORDER ALLOWING AUDIO/VISUAL & OTHER COMPUTER EQUIPMENT IN THE COURTROOM on 2/19/2019 at 2:00 pm as to N. Siegel & A. Keller. Signed by Judge Thomas W. Thrash, Jr. on 2/12/2019. (EQACtrk)(ss) (Entered: 02/13/2019)
02/14/2019	<u>559</u>		ORDER ALLOWING AUDIO/VISUAL & OTHER COMPUTER EQUIPMENT IN THE COURTROOM on 2/19/2019 at 2:00 p.m. as to M. McCaffrey. Signed by Judge Thomas W. Thrash, Jr. on 2/14/2019. (EQACtrk)(ss) Modified on 2/15/2019 (sap). (Entered: 02/14/2019)
02/15/2019			Notification of Docket Correction re <u>559</u> Order Allowing Audio/Visual Equipment in the Courtroom: Date Allowing Equipment into the Courtroom Corrected in the Docket Text Only. (EQACtrk) (sap) (Entered: 02/15/2019)
02/15/2019	<u>561</u>		NOTICE of Joinder re ( <u>385</u> in 1:17-md-02800-TWT) Motion for Order Establishing Separate Track for Governmental Enforcement Actions by Commonwealth of Puerto Rico. (Attachments: # <u>1</u> Certificate of Conference, # <u>2</u> Cover Letter, # <u>3</u> Envelope) (Associated Cases: 1:17-md-02800-TWT, 1:18-cv-05611-TWT) (EQACtrk) (sap) (Entered: 02/20/2019)
02/19/2019	<u>560</u>		Minute Entry for proceedings held before Judge Thomas W. Thrash, Jr.: STATUS CONFERENCE held on 02/19/2019. The Court GRANTED <u>548</u> Motion for Clarification. The next Status Conference will be April 3, 2019 at 2:00 p.m. A separate notice will be docketed with additional information. (Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03463-TWT, and 1:18-cv-00317-TWT) (Court

			Reporter Diane Peede) (EQACtrk) (sap) (Entered: 02/20/2019)
02/20/2019	<u>562</u>		CONDITIONAL TRANSFER ORDER CTO-35 from the Judicial Panel on Multidistrict Litigation (Peterson, et al v. Equifax Inc and King v. Equifax Inc. from Texas Southern, Our Case Number 1:19-cv-00880-TWT). (EQACtrk) (sap) (Entered: 02/20/2019)
02/20/2019	<u>563</u>		ORDER ADMINISTRATIVELY CLOSING all the individual civil actions linked to this MDL action, EXCLUDING City of Chicago (1:18cv1470) and Commonwealth of Puerto Rico (1:18cv5611) vs. Equifax. Signed by Judge Thomas W. Thrash, Jr. on 2/20/2019. (Associated Cases: 1:17-md-02800-TWT et al.) (EQACtrk) (sap) (Entered: 02/21/2019)
02/20/2019			(MDL TERMINATED IN ERROR; TERMINATION REMOVED FOR MDL ONLY) Civil Case Terminated. (Associated Cases: 1:17-md-02800-TWT et al.) (EQACtrk) (sap) Modified on 2/22/2019 (sap). (Entered: 02/21/2019)
02/20/2019	<u>567</u>		ORDER ADMINISTRATIVELY CLOSING all the individual pro se civil actions related to this MDL action listed in the Order. Signed by Judge Thomas W. Thrash, Jr. on 2/20/2019. (EQACtrk) (sap) (Entered: 02/22/2019)
02/21/2019	<u>564</u>		Joint MOTION to Set Deadlines by Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(EQCCtrk)(Haskins, Sidney) (Entered: 02/21/2019)
02/21/2019	<u>565</u>		MOTION to Vacate <u>563</u> Order with Brief In Support by Ashley Abramson, Katiushka Rebeca Acosta-Smith. (EQCCtrk)(Wilens, Jeffrey) (Entered: 02/21/2019)
02/21/2019	<u>566</u>		ORDER AND SUGGESTION OF REMAND for pro se action 1:18-CV-1511-TWT to the United States District Court for the Middle District of North Carolina. Signed by Judge Thomas W. Thrash, Jr. on 2/21/2019. (EQACtrk) (sap) (Entered: 02/22/2019)
02/22/2019			Notification of Docket Correction re Terminated Case: MDL terminated in error; Termination removed for MDL only. The member cases, excluding 18-cv-1470 and 18-cv-5611 remains terminated. (EQACtrk) (sap) (Entered: 02/22/2019)
02/22/2019			Clerk's Certificate of Emailing as to the U.S. Judicial Panel on MDL re a Certified Copy of <u>566</u> Order. (EQACtrk) (sap) (Entered: 02/22/2019)
02/22/2019	<u>568</u>		MOTION to Vacate <u>563</u> Order by Craig Ward, Mary Warren, Todd Warren, Teri Weatherly. (Attachments: # <u>1</u> Certificate of Service)(EQCCtrk)(Smith, Michael) (Entered: 02/22/2019)

02/22/2019	<u>569</u>		ORDER DIRECTING the Clerk to Reopen the related Securities Litigation (1:17cv3463) and Derivative Litigation (1:18cv0317) actions. Signed by Judge Thomas W. Thrash, Jr. on 2/22/2019. (Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03463-TWT, 1:18-cv-00317-TWT) (EQACtrk) (sap) (Entered: 02/22/2019)
02/25/2019	<u>570</u>		NOTICE of Hearing: Status Conference set for 4/3/2019 at 02:00 PM in ATLA Courtroom 2108 before Judge Thomas W. Thrash Jr. (See PDF for details). Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03463-TWT, 1:18-cv-00317-TWT(EQACtrk)(ss) (Entered: 02/25/2019)
02/25/2019	<u>571</u>		ANSWER to <u>374</u> Amended Complaint by Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc.. Discovery ends on 7/25/2019.(EQCCtrk)(Balser, David) Please visit our website at <a href="http://www.gand.uscourts.gov">http://www.gand.uscourts.gov</a> to obtain Pretrial Instructions. (Entered: 02/25/2019)
02/26/2019	<u>572</u>		NOTICE to Take Deposition of Graeme Payne filed by ALL PLAINTIFFS (EQACtrk)(Canfield, Kenneth) (Entered: 02/26/2019)
02/27/2019	<u>573</u>		NOTICE of Change of Attorneys' Firm Name and Contact Information by ALL PLAINTIFFS (EQCCtrk)(Keller, Amy) (Entered: 02/27/2019)
02/28/2019	<u>574</u>		CERTIFICATE OF SERVICE filed by ALL PLAINTIFFS of Plaintiffs' Objections and Responses to Defendants' First Requests for Production of Documents to Consumer Track Plaintiffs (EQCCtrk)(Keller, Amy) (Entered: 02/28/2019)
02/28/2019	<u>575</u>		CERTIFICATE OF SERVICE of FI Plaintiffs' and Association Plaintiffs' Responses and Objections to Defendants Equifax Inc.'s and Equifax Information Services LLC's First Requests for Production by ALL PLAINTIFFS.(EQFtrk)(Guglielmo, Joseph) (Entered: 02/28/2019)
02/28/2019	<u>576</u>		CERTIFICATE OF SERVICE to Equifax, Inc.'s Responses and Objections to Plaintiffs' First Joint Set of Requests for Production of Documents to Defendants by Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc..(EQACtrk)(Balser, David) (Entered: 02/28/2019)
03/01/2019	<u>577</u>		MOTION for Order Establishing Separate Track for Indian Tribal Governments with Brief In Support by Fond du Lac Band of Lake Superior Chippewa, Red Cliff Band of Lake Superior Chippewa, St. Croix Chippewa Indians of Wisconsin. (Attachments: # <u>1</u> Brief For Separate Track, # <u>2</u> Exhibit Certificate of Conference)(EQACtrk)(Frazer, T.) (Entered: 03/01/2019)

03/04/2019	<u>635</u>		NOTICE of Appearance by James Nixon Daniel, III, Mary Jane Bass, and John R. Zoesch, III on behalf of Red Cliff Band of Lake Superior Chippewa (1:19-cv-00420-TWT), Fond du Lac Band of Lake Superior Chippewa (1:18-cv-04257-TWT), and St. Croix Chippewa Indians of Wisconsin (1:18-cv-04258-TWT). (Associated Cases: 1:17-md-02800-TWT, 1:18-cv-04257-TWT, 1:18-cv-04258-TWT, 1:19-cv-00420-TWT) (EQACtrk) (sap) (Entered: 03/11/2019)
03/05/2019	<u>578</u>		NOTICE Of Filing by ALL PLAINTIFFS <i>Subpoena on CyberArk Software, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/05/2019)
03/05/2019	<u>579</u>		NOTICE Of Filing by ALL PLAINTIFFS <i>Subpoena on Cyence, LLC</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/05/2019)
03/05/2019	<u>580</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to Deloitte Consulting, LLP</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/05/2019)
03/05/2019	<u>581</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to Epiq Class Action &amp; Claims Solutions, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/05/2019)
03/05/2019	<u>582</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to F5 Networks, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/05/2019)
03/05/2019	<u>583</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to Fidelity National Card Services, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/05/2019)
03/05/2019	<u>584</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to Microsoft Corporation</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/05/2019)
03/05/2019	<u>585</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to SailPoint Technologies Holdings, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/05/2019)
03/05/2019	<u>586</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to SailPoint Technologies, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/05/2019)
03/05/2019	<u>587</u>		NOTICE by ALL PLAINTIFFS <i>of Service of Production Subpoena to be Issued to T-Mobile, USA, Inc.</i> (EQACtrk)(Keller, Amy) (Entered: 03/05/2019)
03/05/2019	<u>588</u>		NOTICE by ALL PLAINTIFFS <i>of Service of Production Subpoena to be Issued to Visa U.S.A. Inc.</i> (EQACtrk)(Keller, Amy) (Entered: 03/05/2019)
03/05/2019	<u>589</u>		NOTICE by ALL PLAINTIFFS <i>of Service of Production Subpoena to be Issued to Pricewaterhousecoopers Advisory</i>

			<i>Services, LLP</i> (EQACtrk)(Keller, Amy) (Entered: 03/05/2019)
03/05/2019	<u>590</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Production Subpoena to be Issued to MicroBilt Merchant Services, Inc.</i> (EQACtrk)(Keller, Amy) (Entered: 03/05/2019)
03/05/2019	<u>591</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Production Subpoena to be Issued to MicroBilt Corporation</i> (EQACtrk)(Keller, Amy) (Entered: 03/05/2019)
03/05/2019	<u>592</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Production Subpoena to be Issued to ServiceNow, Inc.</i> (EQACtrk)(Keller, Amy) (Entered: 03/05/2019)
03/05/2019	<u>593</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Production Subpoena to be Issued to KPMG LLP</i> (EQACtrk)(Keller, Amy) (Entered: 03/05/2019)
03/05/2019	<u>594</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Production Subpoena to be Issued to Fidelity Information Services, LLC</i> (EQACtrk)(Keller, Amy) (Entered: 03/05/2019)
03/05/2019	<u>595</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Production Subpoena to be Issued to AT&amp;T Mobility LLC</i> (EQACtrk)(Keller, Amy) (Entered: 03/05/2019)
03/05/2019	<u>596</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Production Subpoena to be Issued to American Express Company</i> (EQACtrk)(Keller, Amy) (Entered: 03/05/2019)
03/05/2019	<u>597</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Production Subpoena to be Issued to FireEye, Inc.</i> (EQACtrk)(Keller, Amy) (Entered: 03/05/2019)
03/05/2019	<u>598</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Production Subpoena to be Issued to Capital One Bank USA, National Association</i> (EQACtrk)(Keller, Amy) (Entered: 03/05/2019)
03/05/2019	<u>599</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Production Subpoena to be Issued to Discover Financial Services</i> (EQACtrk)(Keller, Amy) (Entered: 03/05/2019)
03/05/2019	<u>600</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Production Subpoena to be Issued to Consumer Financial Protection Bureau</i> (EQACtrk)(Keller, Amy) (Entered: 03/05/2019)
03/05/2019	<u>601</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Production Subpoena to be Issued to Stach &amp; Liu, LLC</i> (EQACtrk)(Keller, Amy) (Entered: 03/05/2019)
03/05/2019	<u>602</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Production Subpoena to be Issued to Consumer Data Industry Association</i> (EQACtrk)(Keller, Amy) (Entered: 03/05/2019)
03/05/2019	<u>603</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Production Subpoena to be Issued to Solutionary, Inc.</i>



			(EQACtrk)(Keller, Amy) (Entered: 03/05/2019)
03/05/2019	<u>604</u>		NOTICE by ALL PLAINTIFFS <i>of Service of Production Subpoena to be Issued to Mandiant, LLC</i> (EQACtrk)(Keller, Amy) (Entered: 03/05/2019)
03/05/2019	<u>605</u>		NOTICE by ALL PLAINTIFFS <i>of Service of Production Subpoena to be Issued to Trans Union, LLC</i> (EQACtrk)(Keller, Amy) (Entered: 03/05/2019)
03/05/2019	<u>606</u>		NOTICE by ALL PLAINTIFFS <i>of Service of Production Subpoena to be Issued to AT&amp;T Corporation</i> (EQACtrk)(Keller, Amy) (Entered: 03/05/2019)
03/06/2019	<u>607</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to McGinn and Company</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/06/2019)
03/06/2019	<u>608</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to Aprio, LLP</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/06/2019)
03/06/2019	<u>609</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to International Business Machines</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/06/2019)
03/06/2019	<u>610</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to Jack Henry &amp; Associates, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/06/2019)
03/06/2019	<u>611</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to Rapid7, LLC</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/06/2019)
03/06/2019	<u>612</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to Sitel Operating Corporation</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/06/2019)
03/06/2019	<u>613</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to Sprint Corporation</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/06/2019)
03/06/2019	<u>614</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to The R Group Public Relations Company, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/06/2019)
03/06/2019	<u>615</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to Veracode, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/06/2019)
03/06/2019	<u>616</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to Comcast Corporation</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/06/2019)
03/06/2019	<u>617</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to EntIT, Software, LLC</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/06/2019)

03/06/2019	<u>618</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to Kroll Cyber Security, LLC</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/06/2019)
03/06/2019	<u>619</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to PCI Security Standards Council, LLC</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/06/2019)
03/06/2019	<u>620</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to The Apache Software Foundation</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/06/2019)
03/06/2019	<u>621</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to Verizon Communications, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/06/2019)
03/06/2019	<u>622</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to RSA Security, LLC</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/06/2019)
03/06/2019	<u>623</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to MeridianLink, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/06/2019)
03/07/2019	<u>624</u>		OBJECTION re <u>572</u> Notice to Take Deposition <i>and for Production of Documents</i> by Graeme Payne. (EQCCtrk)(Cochran, Anthony) (Entered: 03/07/2019)
03/07/2019	<u>625</u>		NOTICE by ALL PLAINTIFFS <i>of Service of Subpoena to Ernst &amp; Young LLP</i> (EQACtrk)(Partin, Ranse) (Entered: 03/07/2019)
03/07/2019	<u>626</u>		NOTICE by ALL PLAINTIFFS <i>of Service of Subpoena to Experian Information Solutions, Inc.</i> (EQACtrk)(Partin, Ranse) (Entered: 03/07/2019)
03/07/2019	<u>627</u>		NOTICE by ALL PLAINTIFFS <i>of Service of Subpoena to MasterCard International Incorporated</i> (EQACtrk)(Partin, Ranse) (Entered: 03/07/2019)
03/07/2019	<u>628</u>		NOTICE by ALL PLAINTIFFS <i>of Service of Subpoena to MasterCard Technologies, LLC</i> (EQACtrk)(Partin, Ranse) (Entered: 03/07/2019)
03/07/2019	<u>629</u>		RESPONSE in Opposition re <u>565</u> MOTION to Vacate <u>563</u> Order, <u>568</u> MOTION to Vacate <u>563</u> Order filed by Equifax Consumer Services, LLC, Equifax Credit Information Services, Inc., Equifax Health Services, Equifax Information Services LLC, Equifax Information Solutions, LLC, Equifax, Inc.. (EQCCtrk)(Balser, David) (Entered: 03/07/2019)
03/08/2019	<u>630</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to Cisco Systems, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/08/2019)
03/08/2019	<u>631</u>		

			NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to SourceFire</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 03/08/2019)
03/08/2019	<u>632</u>		MOTION to Withdraw Jeffrey Miles Ostrow as Attorneyby Adi Amuial. (Attachments: # <u>1</u> Text of Proposed Order)(EQACtrk)(Ostrow, Jeffrey) (Entered: 03/08/2019)
03/08/2019	<u>633</u>		TRANSCRIPT of the State Conference Hearing Proceedings held on February 19, 2019, before Judge Thomas W. Thrash, Jr. Court Reporter/Transcriber Diane Peede, Telephone number 404-215-1558. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 3/29/2019. Redacted Transcript Deadline set for 4/8/2019. Release of Transcript Restriction set for 6/6/2019. (Attachments: # <u>1</u> Notice of Filing of Official Transcript) (EQCCtrk)(kac) (Entered: 03/08/2019)
03/08/2019	<u>634</u>		Joint MOTION for Order <i>to Set Deadlines</i> by Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(EQACtrk)(Haskins, Sidney) Modified on 3/13/2019 (ss). (Entered: 03/08/2019)
03/11/2019	<u>636</u>		NOTICE of <i>Subpoena to be Issued to Bank of America Corporation</i> by ALL PLAINTIFFS (EQACtrk)(Gibson, MaryBeth) (Entered: 03/11/2019)
03/11/2019	<u>637</u>		NOTICE of <i>Subpoena to be Issued to Bank of America National Association</i> by ALL PLAINTIFFS (EQACtrk)(Gibson, MaryBeth) (Entered: 03/11/2019)
03/11/2019	<u>638</u>		NOTICE of <i>Further Supplemental Authority in Support of Motion for Entry of Order Relating to Interviews of Defendants' Former Employees</i> by ALL PLAINTIFFS (Attachments: # <u>1</u> Exhibit 1: U.S. Senate Committee Report)(EQACtrk)(Barnes, Roy) (Entered: 03/11/2019)
03/13/2019	<u>639</u>		NOTICE Regarding Administrative Closing of Pro Se Cases. Signed by Judge Thomas W. Thrash, Jr. on 3/13/2019. (EQACtrk) (sap) (Entered: 03/13/2019)
03/13/2019	<u>640</u>		ORDER granting <u>634</u> Motion for Extension of Time through 4/1/19 to file response and any reply by 5/1/19 re <u>577</u> MOTION for Order <i>Establishing Separate Track for Indian Tribal Governments</i> . Signed by Judge Thomas W. Thrash, Jr. on 3/13/2019. (EQACtrk)(ss) (Entered: 03/13/2019)
03/14/2019	<u>641</u>		ORDER GRANTING the Parties' ( <u>564</u> in case 1:17-md-02800-TWT) Joint Motion to Set Deadlines re <u>561</u> Notice of Joinder with Plaintiff City of Chicago's Motion for Order Establishing Separate Track for



			Governmental Enforcement Actions. Any responses shall be filed by March 15, 2019 and Plaintiff Puerto Rico shall file a consolidated reply by March 22, 2019. Signed by Judge Thomas W. Thrash, Jr. on 3/13/2019. (Associated Cases: 1:17-md-02800-TWT, 1:18-cv-05611-TWT) (EQCctrk) (sap) (Entered: 03/15/2019)
03/15/2019	<u>642</u>		RESPONSE in Opposition re <u>561</u> Notice of Joinder with Plaintiff City of Chicago's Motion for Order Establishing Separate Track for Governmental Enforcement Actions filed by ALL PLAINTIFFS. (EQACtrk)(Siegel, Norman) (Entered: 03/15/2019)
03/15/2019	<u>643</u>		RESPONSE in Opposition re <u>561</u> Notice of Joinder with Plaintiff City of Chicago's Motion for Order Establishing Separate Track for Governmental Enforcement Actions filed by Equifax, Inc. (Attachments: # <u>1</u> Exhibit A – Puerto Rico Complaint)(EQCctrk)(Haskins, Sidney) (Entered: 03/15/2019)
03/18/2019	<u>644</u>		CERTIFICATE OF SERVICE for Subpoena to be Issued to Sandra Winters by ALL PLAINTIFFS (EQACtrk)(Guglielmo, Joseph) (Entered: 03/18/2019)
03/19/2019	<u>645</u>		ORDER GRANTING the Plaintiffs' ( <u>350</u> in case 1:17-md-02800-TWT), (9 in case 1:18-cv-01466-TWT), and (9 in case 1:18-cv-01467-TWT) Motions to Remand to State Court. These actions are hereby REMANDED to the Superior Court of Orange County, California. Signed by Judge Thomas W. Thrash, Jr. on 3/18/2019. (c: MDL Panel) (Associated Cases: 1:17-md-02800-TWT, 1:18-cv-01466-TWT, 1:18-cv-01467-TWT) (EQACtrk) (sap) (Entered: 03/19/2019)
03/19/2019	<u>646</u>		MOTION to Withdraw Michael J. Klein as Attorneyby Daniel DeMarco, Jr, Jennifer Pascucci DeMarco, Pamela Klein, Alain Lapter, Ana Lapter, Michael Slyne, Stacey J. P. Ullman. (Attachments: # <u>1</u> Text of Proposed Order)(EQACtrk)(Klein, Michael) (Entered: 03/19/2019)
03/19/2019			Clerk's Certificate of Mailing as to the Superior Court of Orange County re (19 in 1:18-cv-01466-TWT, 32 in 1:18-cv-01467-TWT, 645 in 1:17-md-02800-TWT) Order on Motion to Remand to State Court. (Associated Cases: 1:17-md-02800-TWT, 1:18-cv-01466-TWT, 1:18-cv-01467-TWT) (EQACtrk) (sap) (Entered: 03/19/2019)
03/19/2019	<u>647</u>		ORDER WITHDRAWING the Court's Suggestion of Remand contained in the Court's Order of March 13, 2019. Signed by Judge Thomas W. Thrash, Jr. on 3/18/2019. (EQACtrk) (sap) (Entered: 03/19/2019)
03/20/2019	<u>648</u>		MOTION to Amend with Brief In Support by ASI Federal Credit Union, Consumers Cooperative Credit Union, Credit

			Union National Association, D.L. Evans Bank, Financial Health Federal Credit Union, First Financial Credit Union, Hudson River Community Credit Union, Illinois Credit Union League, Independent Community Bankers of America, Indiana Credit Union League, New York Credit Union Association, Peach State Federal Credit Union, Texas First Bank, The First State Bank, The Summit Federal Credit Union, Virginia Credit Union League, Washington Gas Light Federal Credit Union. (Attachments: # <u>1</u> Brief In Support of Motion to Amend, # <u>2</u> Exhibit 1 Financial Institution Plaintiffs' [Proposed] Second Amended Consolidated Complaint, # <u>3</u> Exhibit 2 Redline of [Proposed] Second Amended Consolidated Complaint)(EQFItkr)(Guglielmo, Joseph) (Entered: 03/20/2019)
03/20/2019	<u>649</u>		ORDER DENYING Plaintiff Carson Block's ( <u>451</u> in case 1:17-md-02800-TWT) Motion to Establish Separate Discovery Track. Signed by Judge Thomas W. Thrash, Jr. on 3/20/2019. (Associated Cases: 1:17-md-02800-TWT, 1:17-cv-05341-TWT) (EQACtrk) (sap) (Entered: 03/21/2019)
03/20/2019	<u>650</u>		ORDER GRANTING Jeffrey Miles Ostrow's <u>632</u> Motion to Withdraw as Attorney for Plaintiff Adi Amuial. Signed by Judge Thomas W. Thrash, Jr. on 3/20/2019. (EQACtrk) (sap) (Entered: 03/21/2019)
03/20/2019	<u>651</u>		ORDER GRANTING Michael J. Klein's <u>646</u> Motion to Withdraw as Attorney for Daniel DeMarco, Jr, Jennifer Pascucci DeMarco, Pamela Klein, Alain Lapter, Ana Lapter, Michael Slyne, and Stacey J. P. Ullman. Signed by Judge Thomas W. Thrash, Jr. on 3/20/2019. (EQACtrk) (sap) (Entered: 03/21/2019)
03/21/2019	<u>652</u>		ORDER re the Plaintiffs' <u>488</u> Motions: The Plaintiffs' Motion for Limited Relief From Discovery Stay is DENIED AS MOOT and the Motion for Entry of Order Relating to Interviews of Defendants Former Employees is GRANTED. Signed by Judge Thomas W. Thrash, Jr. on 3/21/2019. (EQACtrk) (sap) (Entered: 03/21/2019)
03/22/2019	<u>653</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to Aprio LLP f/k/a Habif, Arogeti & Wynne, LLP. (EQACtrk)(Gibson, MaryBeth) (Entered: 03/22/2019)
03/22/2019	<u>654</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to Bank of America Corporation. (EQACtrk)(Gibson, MaryBeth) (Entered: 03/22/2019)
03/22/2019	<u>655</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to Bank of America National Association. (EQACtrk)(Gibson, MaryBeth) (Entered: 03/22/2019)
03/22/2019	<u>656</u>		

			AFFIDAVIT of Service for Subpoena <i>Served</i> , as to Comcast Corporation. (EQACtrl)(Gibson, MaryBeth) (Entered: 03/22/2019)
03/22/2019	<u>657</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to Veracode, Inc.</i> (EQACtrl)(Gibson, MaryBeth) (Entered: 03/22/2019)
03/22/2019	<u>658</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to EntIT Software, LLC. (EQACtrl)(Gibson, MaryBeth) (Entered: 03/22/2019)
03/22/2019	<u>659</u>		(DUPLICATE ENTRY OF <u>658</u> ) AFFIDAVIT of Service for Subpoena <i>Served</i> , as to EntIT Software, LL (EQACtrl)(Gibson, MaryBeth) Modified on 3/27/2019 (sap). (Entered: 03/22/2019)
03/22/2019	<u>660</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to Jack Henry & Associates. (EQACtrl)(Gibson, MaryBeth) (Entered: 03/22/2019)
03/22/2019	<u>661</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to Kroll Cyber Security, LLC. (EQACtrl)(Gibson, MaryBeth) (Entered: 03/22/2019)
03/22/2019	<u>662</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to PCI Security Standards Council, LLC. (EQACtrl)(Gibson, MaryBeth) (Entered: 03/22/2019)
03/22/2019	<u>663</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to Rapid7, LLC. (EQACtrl)(Gibson, MaryBeth) (Entered: 03/22/2019)
03/22/2019	<u>664</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to Sitel Operating Corp f/k/a Logic Operating Corporation. (EQACtrl)(Gibson, MaryBeth) (Entered: 03/22/2019)
03/22/2019	<u>665</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to The R Group Public Relations Company. (EQACtrl)(Gibson, MaryBeth) (Entered: 03/22/2019)
03/22/2019	<u>666</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to International Business Machines Corp. (EQACtrl)(Gibson, MaryBeth) (Entered: 03/22/2019)
03/22/2019	<u>667</u>		RESPONSE re <u>643</u> Response to Motion, <u>642</u> Response (Non-Motion) <i>Reply</i> filed by Commonwealth of Puerto Rico. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit)(EQACtrl)(Schneider, Peter) (Entered: 03/22/2019)
03/22/2019	<u>668</u>		ORDER: Plaintiffs Ward et al.'s <u>459</u> Motion to Remand and <u>568</u> Motion to Vacate Order are DENIED. Signed by Judge Thomas W. Thrash, Jr. on 3/22/2019. (EQACtrl) (sap) (Entered: 03/25/2019)
03/22/2019	<u>669</u>		ORDER: Plaintiffs' <u>565</u> Motion to Vacate is DENIED AS MOOT. Signed by Judge Thomas W. Thrash, Jr. on

			3/22/2019. (EQACtrk) (sap) (Entered: 03/25/2019)
03/22/2019	<u>674</u>		CONDITIONAL TRANSFER ORDER CTO-36 from the Judicial Panel on Multidistrict Litigation (Luciano v. Equifax Informational Services, LLC and Palmer v. Equifax). (EQACtrk) (sap) (Entered: 03/27/2019)
03/26/2019	<u>670</u>		ORDER ALLOWING AUDIO/VISUAL & OTHER EQUIPMENT IN THE COURTROOM on 4/3/2019 at 2:00 pm as to K. Bates & P. Schneider. Signed by Judge Thomas W. Thrash, Jr. on 3/25/2019. (EQACtrk)(ss) (Entered: 03/26/2019)
03/26/2019	<u>671</u>		ORDER ALLOWING AUDIO/VISUAL & OTHER EQUIPMENT IN THE COURTROOM on 4/3/2019 at 2:00 pm as to J. Guglielmo & G. Lynch. Signed by Judge Thomas W. Thrash, Jr. on 3/26/2019. (EQACtrk)(ss) (Entered: 03/26/2019)
03/26/2019	<u>672</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Subpoena to Produce Documents and Information on Wells Fargo Bank, N.A., Pursuant To Fed. R. Civ. P. 45(a)(4)</i> (EQACtrk)(Lake, Anthony) (Entered: 03/26/2019)
03/27/2019	<u>673</u>		ORDER ALLOWING AUDIO/VISUAL & OTHER COMPUTER EQUIPMENT IN THE COURTROOM on 4/3/2019 at 2:00 pm, as to J. Weiss & J. Rubin. Signed by Judge Thomas W. Thrash, Jr. on 3/26/2019. (EQACtrk)(ss) (Entered: 03/27/2019)
03/28/2019	<u>675</u>		ORDER ALLOWING AUDIO/VISUAL & OTHER COMPUTER EQUIPMENT IN THE COURTROOM on 4/3/2019 at 2:00 pm, as N. Siegel, A. Keller. Signed by Judge Thomas W. Thrash, Jr. on 3/28/2019. (EQACtrk)(ss) (Entered: 03/28/2019)
03/29/2019	<u>676</u>		MOTION to Withdraw Paul Jay Pontrelli as Attorney by Meghan Simmons, John W. Simmons, II, and Bert Tundidor. (Attachments: # <u>1</u> Proposed Order)(EQACtrk)(Pontrelli, Paul) Filers Corrected on 4/1/2019 (sap). (Entered: 03/29/2019)
03/29/2019	<u>681</u>		ORDER REINSTATING STAY OF CONDITIONAL TRANSFER ORDER 36 from the Judicial Panel on Multidistrict Litigation. (Our Case Number: 1:19-cv-01370-TWT) (EQACtrk) (sap) (Entered: 04/03/2019)
04/01/2019	<u>677</u>		RESPONSE in Opposition re <u>577</u> MOTION for Order <i>Establishing Separate Track for Indian Tribal Governments</i> filed by ALL PLAINTIFFS. (Attachments: # <u>1</u> Exhibit A)(EQACtrk)(Siegel, Norman) (Entered: 04/01/2019)
04/01/2019	<u>678</u>		RESPONSE re <u>577</u> MOTION for Order <i>Establishing Separate Track for Indian Tribal Governments</i> filed by

			Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc.. (Attachments: # <u>1</u> Exhibit A – St. Croix Chippewa Indians of Wisconsin Complaint, # <u>2</u> Exhibit B – Fond du lac Band of Lake Superior Chippewa Complaint, # <u>3</u> Exhibit C – Red Cliff Band of Lake Superior Chippewa Complaint, # <u>4</u> Exhibit D – In re: Natl Prescription Opiate Litig., Opposition to Motion to Dismiss, # <u>5</u> Exhibit E– In re: Natl Prescription Opiate Litig., Motion to Establish Separate Tribal Track)(EQCCtrk)(Haskins, Sidney) (Entered: 04/01/2019)
04/01/2019	<u>679</u>		ORDER GRANTING Attorney Paul Jay Pontrelli's ( <u>676</u> in case 1:17-md-02800-TWT) Motion to Withdraw as Attorney for Meghan Simmons, John W. Simmons, II, and Bert Tundidor. Signed by Judge Thomas W. Thrash, Jr. on 4/1/2019. (Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03659-TWT) (EQACtrk) (sap) (Entered: 04/02/2019)
04/02/2019	<u>680</u>		First AMENDED COMPLAINT against Equifax, Inc.with Jury Demand filed by Commonwealth of Puerto Rico.(EQCCtrk)(Schneider, Peter) Please visit our website at <a href="http://www.gand.uscourts.gov/commonly-used-forms">http://www.gand.uscourts.gov/commonly-used-forms</a> to obtain Pretrial Instructions and Pretrial Associated Forms which includes the Consent To Proceed Before U.S. Magistrate form. (Entered: 04/02/2019)
04/04/2019	<u>682</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to Sprint Corporation. (EQACtrk)(Gibson, MaryBeth) (Entered: 04/04/2019)
04/04/2019	<u>683</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to The Apache Software Foundation. (EQACtrk)(Gibson, MaryBeth) (Entered: 04/04/2019)
04/04/2019	<u>684</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to Verizon Communications, Inc.. (EQACtrk)(Gibson, MaryBeth) (Entered: 04/04/2019)
04/10/2019	<u>685</u>		Joint MOTION for Extension of Time for Briefing Deadlines by Equifax Information Services LLC, Equifax, Inc.. (EQFItk)(Haskins, Sidney) (Entered: 04/10/2019)
04/10/2019	<u>686</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to Stach & Liu, LLC. (EQACtrk)(Keller, Amy) (Entered: 04/10/2019)
04/10/2019	<u>687</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to Capital One Bank (USA) National Association. (EQACtrk)(Keller, Amy) (Entered: 04/10/2019)
04/10/2019	<u>688</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to Consumer Data Industry Association. (EQACtrk)(Keller, Amy) (Entered: 04/10/2019)
04/10/2019	<u>689</u>		

			AFFIDAVIT of Service for Subpoena <i>Served</i> , as to MicroBilt Corporation. (EQACtrk)(Keller, Amy) (Entered: 04/10/2019)
04/10/2019	<u>690</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to T-Mobile USA, Inc. (EQACtrk)(Keller, Amy) (Entered: 04/10/2019)
04/10/2019	<u>691</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to Trans Union, LLC. (EQACtrk)(Keller, Amy) (Entered: 04/10/2019)
04/10/2019	<u>692</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to MicroBilt Merchant Services, Inc. (EQACtrk)(Keller, Amy) (Entered: 04/10/2019)
04/10/2019	<u>693</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to Visa U.S.A., Inc. (EQACtrk)(Keller, Amy) (Entered: 04/10/2019)
04/10/2019	<u>694</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to Mandiant, LLC. (EQACtrk)(Keller, Amy) (Entered: 04/10/2019)
04/10/2019	<u>695</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to Solutionary Inc. (EQACtrk)(Keller, Amy) (Entered: 04/10/2019)
04/10/2019	<u>696</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to FireEye Inc. (EQACtrk)(Keller, Amy) (Entered: 04/10/2019)
04/10/2019	<u>697</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to ServiceNow, Inc. (EQACtrk)(Keller, Amy) (Entered: 04/10/2019)
04/10/2019	<u>698</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to AT&T Corporation. (EQACtrk)(Keller, Amy) (Entered: 04/10/2019)
04/10/2019	<u>699</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to Pricewaterhousecoopers Advisory Services LLP. (EQACtrk)(Keller, Amy) (Entered: 04/10/2019)
04/10/2019	<u>700</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to AT&T Mobility LLC. (EQACtrk)(Keller, Amy) (Entered: 04/11/2019)
04/11/2019	<u>701</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to KPMG LLP. (EQACtrk)(Keller, Amy) (Entered: 04/11/2019)
04/11/2019	<u>702</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to Fidelity Information Services LLC. (EQACtrk)(Keller, Amy) (Entered: 04/11/2019)
04/11/2019	<u>703</u>		AFFIDAVIT of Service for Subpoena <i>Served</i> , as to American Express Company. (EQACtrk)(Keller, Amy) (Entered: 04/11/2019)



04/11/2019	<u>704</u>		ORDER GRANTING the Parties' <u>685</u> Joint Motion for Extension of Time for Briefing Deadlines. The Defendants' deadline to respond to the Financial Institution Plaintiffs' <u>648</u> Motion For Leave to Amend is extended through and including July 22, 2019 and the Financial Institution Plaintiffs' deadline to file a Reply is extended through and including August 30, 2019. Signed by Judge Thomas W. Thrash, Jr. on 4/11/2019. (EQACtrk) (sap) (Entered: 04/11/2019)
04/17/2019	<u>706</u>		MOTION to Withdraw David M. Buckner, Seth Miles, Michael S. Olin and Brett E. Von Borke as Attorney by Chris Tosco, Mark Ashley. (Attachments: # <u>1</u> Text of Proposed Order)(EQACtrk)(Olin, Michael) Modified on 4/18/2019 (sap). (Entered: 04/17/2019)
04/22/2019	<u>707</u>		ORDER GRANTING <u>706</u> Motion to Withdraw David M. Buckner, Seth Miles, Michael S. Olin and Brett E. Von Borke as Attorney for Chris Tosco and Mark Ashley. Signed by Judge Thomas W. Thrash, Jr. on 4/19/2019. (EQACtrk) (sap) (Entered: 04/22/2019)
04/24/2019	<u>708</u>		CONDITIONAL TRANSFER ORDER CTO-37 from the Judicial Panel on Multidistrict Litigation. (Burns v. Equifax, Inc. from the District of Minnesota, Our Case Number: 1:19-cv-01924-TWT) (EQACtrk) (sap) (Entered: 04/26/2019)
04/30/2019	<u>709</u>		REPLY to Response to Motion re <u>577</u> MOTION for Order <i>Establishing Separate Track for Indian Tribal Governments</i> filed by Fond du Lac Band of Lake Superior Chippewa, Red Cliff Band of Lake Superior Chippewa, St. Croix Chippewa Indians of Wisconsin. (EQACtrk)(Frazer, T.) (Entered: 04/30/2019)
04/30/2019	<u>710</u>		CONDITIONAL TRANSFER ORDER CTO-38 from the Judicial Panel on Multidistrict Litigation. (Ziegeler v. Equifax Inc. from Texas Western, Our Case Number: 1:19-cv-01996-TWT) (EQACtrk) (sap) (Entered: 05/01/2019)
05/01/2019			Submission of <u>577</u> MOTION for Order <i>Establishing Separate Track for Indian Tribal Governments</i> to District Judge Thomas W. Thrash Jr. (EQACtrk) (sap) (Entered: 05/01/2019)
05/03/2019	<u>711</u>		AMENDED ORDER OPINION AND ORDER GRANTING IN PART AND DENYING IN PART the Defendants' <u>435</u> Motion to Dismiss the Financial Institutions' Consolidated Amended Complaint. It is GRANTED as to the Financial Institutions and the Associations. It is DENIED as to the Financial Institution Card Issuers. Signed by Judge Thomas W. Thrash, Jr. on 5/3/2019. (EQACtrk) (sap) (Entered: 05/03/2019)

05/10/2019	<u>712</u>		CONDITIONAL TRANSFER ORDER CTO-39 from the Judicial Panel on Multidistrict Litigation. (Joshpe v. Equifax Information Services LLC from the Southern District of New York, Our Case Number 1:19-cv-03595-TWT) (EQACtrk) (sap) (Entered: 05/13/2019)
05/14/2019	<u>713</u>		NOTICE by Equifax, Inc. of <i>Potential IntraDistrict Tag-Along Action</i> (Attachments: # <u>1</u> Exhibit Complaint)(EQCCtrk)(Haskins, Sidney) (Entered: 05/14/2019)
05/16/2019	<u>714</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Subpoena to Produce Documents and Information on Wells Fargo Bank, N.A., Pursuant To Fed. R. Civ. P. 45(a)(4)</i> (EQACtrk)(Lake, Anthony) (Entered: 05/16/2019)
05/16/2019	<u>715</u>		CERTIFICATE OF SERVICE of <i>Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Wells Fargo Bank, N.A.)</i> by ALL PLAINTIFFS.(EQACtrk)(Lake, Anthony) (Entered: 05/16/2019)
05/28/2019	<u>716</u>		TRANSCRIPT of the Motion Hearing Proceedings held on December 14, 2018, before Judge Thomas W. Thrash, Jr. Court Reporter/Transcriber Susan C. Baker, Telephone number 404-215-1304. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 6/18/2019. Redacted Transcript Deadline set for 6/28/2019. Release of Transcript Restriction set for 8/26/2019. (Attachments: # <u>1</u> Notice of Filing of Official Transcript) (EQCCtrk)(kac) (Entered: 05/28/2019)
05/29/2019	<u>717</u>		ORDER ADMINISTRATIVELY CLOSING the individual pro se civil action 1:18-cv-135-TWT. Signed by Judge Thomas W. Thrash, Jr. on 5/29/2019. (EQACtrk) (sap) (Entered: 05/30/2019)
05/29/2019	<u>718</u>		CONDITIONAL TRANSFER ORDER CTO-40 from the Judicial Panel on Multidistrict Litigation. (Shack v. Equifax, Inc. from the Northern District of Illinois, Our Case Number: 1:19-cv-02527-TWT) (EQACtrk) (sap) (Entered: 05/31/2019)
05/31/2019	<u>719</u>		ORDER ADMINISTRATIVELY CLOSING the individual pro se civil action 1:18-cv-1240-TWT. Signed by Judge Thomas W. Thrash, Jr. on 5/31/2019. (EQACtrk) (sap) (Entered: 06/03/2019)
06/04/2019	<u>720</u>		ORDER ADMINISTRATIVELY CLOSING the individual pro se civil action 1:18-cv-117-TWT. Signed by Judge Thomas W. Thrash, Jr. on 6/3/2019. (EQACtrk) (sap) (Entered: 06/04/2019)



06/05/2019	<u>721</u>		TRANSCRIPT of the Status Conference Hearing Proceedings held on April 3, 2019, before Judge Thomas W. Thrash, Jr. Court Reporter/Transcriber Diane Peede. A full directory of court reporters and their contact information can be found at <a href="http://www.gand.uscourts.gov/directory-court-reporters">www.gand.uscourts.gov/directory-court-reporters</a> . Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 6/26/2019. Redacted Transcript Deadline set for 7/8/2019. Release of Transcript Restriction set for 9/3/2019. (Attachments: # <u>1</u> Notice of Filing of Official Transcript) (EQCctrk)(kac) (Entered: 06/05/2019)
06/05/2019	<u>724</u>		CONDITIONAL TRANSFER ORDER (Doc 995) from the Judicial Panel on Multidistrict Litigation. (Luciano v. Equifax Informational Services, LLC from the Eastern District of New York, Our Case Number 1:19-cv-01370-TWT) (EQACtrk) (sap) (Entered: 06/11/2019)
06/07/2019	<u>722</u>		NOTICE by Equifax, Inc. of <i>Potential Intradistrict Tag-Along Action</i> (Attachments: # <u>1</u> Exhibit A – Simmons v. Equifax Inc. Complaint)(EQCctrk)(Haskins, Sidney) (Entered: 06/07/2019)
06/11/2019	<u>723</u>		MOTION to Withdraw Sally M. Handmaker as Attorney by ALL PLAINTIFFS. (Attachments: # <u>1</u> Text of Proposed Order)(EQCctrk)(Handmaker, Sally) (Entered: 06/11/2019)
06/13/2019	<u>725</u>		ORDER granting <u>723</u> Motion to Withdraw Sally M. Handmaker as Attorney. Signed by Judge Thomas W. Thrash, Jr. on 6/13/2019. (EQACtrk) (sap) (Entered: 06/13/2019)
06/17/2019	<u>726</u>		NOTICE of Appearance by Michelle Anne Kisloff, I on behalf of Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc. (EQCctrk)(Kisloff, Michelle) (Entered: 06/17/2019)
06/17/2019	<u>727</u>		NOTICE of Appearance by Adam Cooke on behalf of Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc. (EQCctrk)(Cooke, Adam) (Entered: 06/17/2019)
06/18/2019	<u>728</u>		NOTICE of Change of Address for Ariana J. Tadler, Henry Kelston, and Melissa Ryan Clark, counsel for ANECA Federal Credit Union, ASI Federal Credit Union, Donna Abbott, Melissa Abbott, James Abraham, Paige Abramowitz, Ashley Abramson, Cheyra Acklin-Davis, Russell Acosta, Abby Elliott, Maureen Elliott, Brian Els, Embark Credit Union, Cynthia Jane England, Gina Englert, Christopher Enslow, Carrie L. Entsminger, Johnathan C. Entsminger,

Samuel Eppy, Adam Ritterbeck, Deborah Rivas, Cynthia Robbins, Ronann Marie Robello, Georgeanne Roberts, Mollie Marcia Roberts, Nick Rodriguez, Robert Roehl, Robert Roehl, Chad Roofener, Albert Ruscitto, Morgan Rutherford, Matthew Rybak, RODD SANTOMAURO, SELCO Community Credit Union, ROBERTA SERAFINE, SHIMON SEROR, DONALD K. SHEARER, SHAYNA SPIVAK, MELISSA SPOSITI, Alberto Reyes, Maribel X Reyes, Ruth Reyes, Rebekah Rhodes, Michael Ribons, Cynthia Rice, Anna Rice–Wright, Julie Richardson, Dan Richmond, Kimberly Richmond, Alexia Chambers, Susan Chandler, Amanda Chap, Michael Chase, Chaselight, LLC, Val Chekmazov, Jasmine Chenault, Andrew Cherney, Jack Cherney, Marie Chinander, Alison Manaher, Justin Edison Manco, Daniel J. Mann, April Manning, Franklin Manning, Samiya Manning, April Mardock, Imtiaz Maredia, Mumtaz Maredia, Gary Mares, Alison Moellmer, Chris Mogelberg, Sakina Mohamedali, Mojo Mama's LLC, Mahri Mollaie, Antonio Barsonda Monday, Mary Hexter Moneypenny, Montana Credit Union League, Hollie Moore, Jimmie Moore, Alison Suzanne Tracy, Sharon Tracy, Ryan Treat, Barbara Trevino, Devenn Triola, Marlo Tuck, Regina Tucker, Patricia Tuel, Bert Tundidor, Allanna Warren, Mary Warren, Sharonda Warren, Todd Warren, John Washburn, Washington Gas Light Federal Credit Union, Paul Waszkelewicz, Jessica Watson, Nicholas Watson, Teri Weatherly, Amanda Knudson, Matthew Koehler, Patricia A. Koller, James Komperda, Crystal Koretsky, James Koretsky, Karla Kosack, Eric Krachanus, Scott Kranstuber, Jessica Krawczyk, Amanda Simpson, Trina Marie Sisk, Jeanne L. Sistek, Sky Federal Credit Union, Kaethe Skye, Michael Slyne, Valorie Anne Smart, Amie Smith, Courtney D. Smith, Diana K. Smith, AmySue Taylor, Lauren Hoffman Taylor, Robin L. Taylor, Jason Tepfenhart, Nicholas Tepfenhart, Texas First Bank, The Bank of New Hampshire, The First State Bank, The Mello Group, Inc., The Summit Federal Credit Union, Andrea Friedman, Todd Fuhrman, MARK GOTTLIEB, Richard Gainey, Valerie Gainey, Joseph Gallant, Jr, Violet Gallo, Kristen Galloway, Andrew Galpern, Andrea Shafran, Barbara A. Shafran, Stephen M. Shafran, Jr, Richard Shanken, Tonya Shanken, Terry Shapiro, Miche' Sharpe, Shayna Sharpe, Dori Shell, Sharon Shepard, Andrew Sheppe, Valerie Elizabeth Sherriff, Wesley Shultz, Ametrius V. Sidney, Dustin Sievers, Herschel Sigall, Steven B. Sikes, Luisa Silvestre, John W. Simmons, II, Meghan Simmons, Andrew W. Thomas, Emily Thomas, Jennifer Thomas, Brian Thompson, Dwight Thompson, Clint Thomson, Katherine Timmons, Chris Tinen, Linda Tirelli, Eric Tischler, Angela Colchin, Matthew Cole, Philip Cole, Shirley M. Cole, Randall Collins, Robert L Collins, Commonwealth of Puerto Rico, Consumers Cooperative Credit Union, Thomas Leslie Coogle, Peter Cooke, Anthony

Dimmagio, Brittany Dixon, Jeffrey Warren Dixon, Dan Dodick, Keith W. Dominick, Barbara J Domino, John Donnelly, Dennis Doolittle, Austin Bradley Hand, John Handrock, Kyle Hannah, Tom W. Hannon, Tom W. Hannon, Sarah L. Hardy, Brian Harris, Earl Harris, Jasmine Harris, Bank of Louisiana, Bank of Ripley, Bank of Zachary, Carol Barber, Eric Barber, Patrick Barker, John Barone, Sandra Barrett, Alan B. Bassett, Bernard J. Zweig, Marc Zweig, Peter de Jesus, Bob Helton, Joseph Henderson, Shon Henderson, Deborah Hendricks, Margaret Henkel, Barbara Hensley, Donald R. Hensley, Alexander S. Hepburn, Heritage Federal Credit Union, Amber Hernandez, Brett N.J. Prejean, Steven Robert Prescott, Anthony E. Pryor, Jr, Jeffrey Pryor, Michael Pugh, Joseph Pugliese, Chiaquitta Purnell-Reid, Kevin Putegnat, Nydia Putegnat, Putnam Bank, Brian Curtis, D.L. Evans Bank, CARL DAVID, CHARLES DERR, Brittany S. Dalton, Daniel R. Dalton, Cady Daughtery, Germany Davis, Jeremy Davis, Olivia Davis, Brian F. Spector, Joe Spellman, Andre Spencer, Mike Spicer, Richard Spicer, Richard Spicer, Ryan Spiking, Taylor Sprecher, Scott Sroka, Kurtis St. Clair, Cade Miller, Dale Miller, David Waterstram Miller, Michael Miller, Wakeelah Miller, Minnesota Credit Union Network, Anthony Mirarchi, Mississippi Credit Union League, Ernesto Mitchel, Robert Mobbs, Carl Williams, Cherie Williams, Chris Williams, Elexis Williams, Julia A. Williams, Justin Williams, Kellie Williams, Martin Williams, Michael Jay Williams, Phillip Williams, Chanel Hudson, Hudson River Community Credit Union, John Huey, Brent Hughes, John Hughes, Robert Hunt, Lola Hunter, Richard Huppert, Christopher Hutchinson, Timothy Hutz, Steven Stonebraker, Theresa Stonebraker, Jenny Storch, Tracey Stough, Luke Strauchman, Victoria Lynn Strutz, Ryan Patrick Studer, Thomas Sullivan, Richard A. Suminski, Chris Brown, Darlene Brown, Diane Brown, LaShawn Brown, Ronald Brown, Tyoka Brumfield, Emil Budilov, Patricia Buhler, Amy M. Burchett, Jody Burgstahler, Christine Coombs, Leo Michael Coombs, Corinne Cooper, Cooperative Credit Union Association, Inc., Donald A. Cordell, Robert Cornett, John Corona, Alejandrina Cortez, Elizabeth Cortez, Joaquin Antonio Cortez, Clifton Ralph Messer, Jr., Geogory Michael Metzgar, Kimberly Joy C. Metzgar, Jody Meyers, Scott Meyers, Thristian Michel, Michigan Credit Union League, Matthew Miles, Angela Lynn Miller, Bradley Miller, Colton Gregory, Eric Griffin, Jennifer Griffin, Lisa Griggs, Joyce M. Grogen, Josh Grossberg, Evelyn Gualandi, Jasmine Guess, Jacob Guillory, Gulf Winds Federal Credit Union, Corree Roofener, Randall K. Roshto, Justin Rothman, Michael Rothman, Allan Rozenzweig, Tanya Michelle Rubio, Tenku Ruff, Kristina Ruidas Bene, Aleida Ruiz, Josh Rupnow, Courtney Finch, Michael Finch, James Findlay, Justin Fiore, Firefly Credit Union, First Castle Federal Credit

Union, First Choice Federal Credit Union, First Education Federal Credit Union, First Financial Credit Union, First Nebraska Credit Union, Dale Parson, Barron Partridge, Tom Partridge, Bruce Pascal, Stephanie Patrick, Marvin Allen Patten, Jr., Bridget J. Patton, Richard Paul, Charles Pavesi, Jr, Jodie Pavitt, Dan Alexander, John Alexander, Richard Alexander, Akbar Ali, Poonam Ali, Reesa Ali, Reesa Ali, Jaclyn Allabaugh, Jason Allabaugh, Ben Allanoff, Daniel John Krotine, Angela M. Krout, Olga Kucerak, Hampden Kuhns, Joseph M. Kuss, Christina Kutz, Kyle Kutz, DEBRA LEE, DAVID LINKER, Marc LaGasse, David Fisher, Jr., Kimbra Flanders, Cheminant M. Flitton, Kelly Flood, Shervon Flores, Fond du Lac Band of Lake Superior Chippewa, Terry Ford, Lindsay Elisabeth Fore, Forest Express Properties, LLC, Fort McClellan Credit Union, Deanna Paik, Tanya Palmer, Frank Palumbo, Jeanne Palumbo, Nikolaos C Pantaze, Russell Pantek, Jennifer Parker, Ronald Parker, Hayden D Parkhill, Sean Parrott, Debbie Larkins, Lucia Larocchia, Dianna Larson, Cheryl Lawson, Joan Lawyer, David Le, League of Southeastern Credit Unions & Affiliates, Annie Lee, Ariel Lee, Debra Lee, Deborah Louise Cresswell, Robert F. Crockett, Jr, James A Crossett, Andrew Crow, David Crowe, Tom Crumly, Maria Cristina Cuason, Maricela Cuevas, John L. Cunniff, Gary R. Curran, Jr, Donald Young, Kelly E. Young, Young's Distributing Co., Inc., Scott Youngstrom, Susan Zaletel, Martin Zamora, Victor Zamora, Christopher Zarpas, Constance Zasada, Constance Zasada, Donna Mosley, Mountain West Credit Union Association, Gerald Muhammad, Rochelle Murdock, Shawn Murdock, Kerri Murphy, Kerri Murphy, Leslie C. Murphy, Terry Myers, Sr, Barry Napier, Douglas C. Evans, Janet Evans, Kay Evans, Keymia Evans, Valerie Anita Everly, WESLEY FEEHRER, FNCB Bank, John Facinoli, Jonathan Fail, Ondrea Faillace, Edward Nathan, II, Christina J. Nazario, Mark A. Nazario, Nebraska Credit Union League, Michael Nehring, Sean Neilan, Sean Neilan, Pete Nelson, Nevada Credit Union League, New York Credit Union Association, Michael Erickson, Michelle Essary, Robert Etten, Dawn Evans, Eric L Steinmetz, Howard Stephan, Samuel Stephenson, Brian Sternemann, Phyllis Sternemann, David Steufen, Dale F. Stewart, II, Daphne Stewart, Leanne S. Stewart, Brijit Stiles, Garry Randall, Ravalli County Federal Credit Union, Joseph Raynor, Red Cliff Band of Lake Superior Chippewa, Claiborne Reed, Debbie Reinert, Randy Reinert, Brook Reinhard, Keith Reisman, Nicholas Ressetar, Gary Campbell, Kody Campbell, Tammy L. Campbell, Iris Campos, David Caplan, Charles Carlson, Clara Carlson, Robert Carobene, Carolinas Credit Union League, Maria Carr, Gary Unschorfer, Jane Unschorfer, MICHELLE A. VIVANZ, Steven M. Vancs, Tom Vasiliadis, Nicolas Velasquez, Kara Vera, Mario Vice, Abraham Vickery, Erica

Vickery, Grace Cho, Ethan Chrisman, Tyler Chrisman, Peggy Christen, Cameron Christensen, Jennifer J. Christensen, Zachary A. Christensen, Zane L. Christensen, Alene Ciampitti, City Of Chicago, Peach State Federal Credit Union, James Peacock, Richard Pedroza, Carmen Pellitteri, Justin Peltier, Pennsylvania Credit Union Association, Peoples National Bank, Jose Perez, Grant Avise, Love Morales Ayala, Adrian Michael Azocar, CAROLYN BECKER, BRENDA BIRKETT, DANIEL BLAKE, ALANA M. BRADLEY, FRANK J BRUSH, Jeannie Baggett, Mikayla Dawn Bahnmaier, Halliburton Employees Federal Credit Union, Patrick Halpin, Nosheen T. Hamid, Donald Hamilton, Jesse Hamilton, Sarah Hamilton, Douglas Hammel, Dennis Hammond, Terry Hammond, Angela Hamre, Heather Duenas, Christian Duke, Debbie Duncan, Leigh Dunlap, Joe J. Dunlap, Christopher P. Dunleavy, Franklin Duran, Roy Duran, Wendy Duran, Durand State Bank, Ivy Madsen, Mike Madsen, Patricia Maggiacomo, Timothy Maholm, Matthew Case Mahutga, Peter Maizitis, Victor Mallh, Donald D. Malone, Keeya S. Malone, Debra Maloney, Jackie L. Kier, Shelbi Kilgore, Carolyn Killings, Brenda King, Justin King, Scott Kingsland, Robert Kinsman, Timothy S. Kishel, William Kittredge, Daniel Kittrell, James Carroll Hood, Larry Bentley Hood, Neva Joyce Hood, Dennis A. Hootman, David Horne, Aaron House, Jesse House, John Howard, Rickey L. Howard, Luke Howard-Vesci, Jan Tabish, Caralyn Tada, Isaac Tadros, York Taenzer, Cheryl Tafas, Adam P. Tama, Christopher Tamburello, Christopher Tanks, George W. Tate, Jr, Jeannie L Tate, Jennifer Harris, Robert Harris, Vanuel Harris, Lilliana Harte, Christopher L. Hathaway, Renee Hayes, Darren Haylock, Heartland Credit Union Association, Craig Hebrlee, Darlene Hejny, Jennifer Louise Leyrer, Barron A. Libasci, Julia Lindsay, Margret Linich, Bryan Lipchitz, Jay Loeffel, Mark J. Longrich, Amanda Lots, Yorkman Lowe, Manuel Lucero, Jeremiah Smith, Jimmy Smith, Joshua Smith, Josie Lou Smith, LA' Sohn Smith, Robin Smith, Samuel Smith, Seth Edward Smith, Travis Quintin Smith, Jerry Allen, Chris Allison, Daniel E Almeida, Kimberly Dawn Alvarez, Margaret Amadick, Margaret Amadick, Edwin Jeffrey Amador, Adi Amuial, Christine Anderson, Christine Anderson, Jill Anderson, Keneil Anderson, Patrick Anderson, Rebekah Leann Anderson, Tracey Anderson, Marius Andreica, James Andrews, Phyllis Andrews, Donald Anthony, Shawna Michelle Antrim, JoAnn Hyatt, ICUL Service Corporation, TOMMIE INGRAM, MARK ISACOFF, Nick Ialacci, Illinois Credit Union League, Independent Community Bankers of America, Indiana Credit Union League, Iowa Credit Union League, Joshua Iron Wing, Joann H. Vidmar, Kaia Vilberg, Meredith Villines, Virginia Credit Union League, Nancy M. Vita, Krista VonWiller, LESLIE



WHIPPER, Heather Waitman, Darryl W. Walker, Nicole Walker, Joe Falco, Maria Falco, Paul Falkenberg, Adolpho Farinella, Rahul Faruqi, Ella J. Fausz, Malcolm B Feied, Susan Ferrara, Kayla Ferrel, Financial Health Federal Credit Union, Alexandra Santana, Lea Santello, Rodd Santomauro, Michael Saucier, Michael Schaber, Edward L. Scherer, Maria Schifano, Jennifer C. Schumitsh, Hong Schur, John Kennedy Bailey, Ryan Bailey, Jason Baker, Keri Bakken, Justin Bakko, Jeannie Ball, Jeannie Ball, Jennifer Ball, Jennifer Ball, Samuel Bandoh–Aidoo, John Benavidez, Veronika Benavidez, Devin Xavier Bene, Adam J. Benne, Jamie Benson, Robert Todd Benson, Russ Benson, Patricia M. Benway, Douglas Benz, Karen Bergquist, Joseph Michael Berish, Candice Bethea, Bernice A. Beznoska, Norman J. Beznoska, Jr, Debra Bigler, Emil Bigler, Wayne Biles, Ron Biorn, Brenda Birkett, Michael Bishop, Joseph Clark, Katherine Clark, Meghan Clark, Thurman Bryan Clark, Anthony Clate, Michael C. Clough, Mona Coade–Wingate, Coastal Communications, LLC, Mathew Patterson Coe, Jeffery Scott Coggins, Joseph Creed Kelly, Christopher John Kendall, Hezzie Kendrick, III, David Earl Kert, Gregory Kesden, Adriane Kessler, Kamel Khaddar, Khampha Khamvongsa, Aloha Kier, Judy Diane Brandon, Emily Smith Brannan, Jerad Russell Brannen, Barbara A. Bratton, David H Breen, Mathew M Breen, Pamela A Breen, John L. Brisini, Jr, Desirae Broadhead, Laura Broder, Jus Rev, LLC, Linda Just, JUSTIN KING, ROBERT KOHN, SUSAN KOHN, Kelly Kaczmarek, James M. Kaczmarek, Kademi, LLC, Brian Kaden, Bruce Kalmick, Justin Apathy, Dawn Appel, Michele Renee Archambault, Ronnell Areta, Dean Armstrong, Army Aviation Center Federal Credit Union, Chelsea Arnell, Lynda L. Artino, David Russell Arwood, Avery Ash, Justin O'Dell, O'Dell & O'Neal, P.C., O'Dell Properties, LLC, MICHELLE O'NEILL, Charles O'Neal, Kevin O'Neill, Daniel E. Oberst, Hannah Obradovich, John Ogburn, Pamela Sue Ogden, Katiushka Rebeca Acosta–Smith, Christy Adams, Danika Aday, Sean Knute Adcock, Christopher Agnew, Jackie L Agosto, Imran Ahmed, Alabama Teachers Credit Union, Alcoa Community Federal Credit Union, Catherine Alderman, Kent Toft, Patrick Tomas, Marilyn Tomlin, Michael W. Tomlin, Cole T. Tomlinson, Barbara Torrey, Chris Tosco, Ashley S. Toth, Cody Toth, Jay L. Toubman, Kevin Burgstahler, Kathryn France Butler, Deidra Byas, Courtenay Byrd, Evans Byrd, Gail Byrd, SOLOMON CHEHEBAR, Brian A. Cadwallader, Jose Calderon, California Credit Union League, Kim Wolfe, George Wolff, Stephanie L. Wong, Cassey–Jo Wood, David Wood, Joshua Woods, Samantha Woods, James R. Wright, Valencia Wright, William L. Wright, Kyle McClure, Andrew McDowell, James McGonnigal, William Thomas McHenry, Mary McHill, Maggie McKinney, Edward Dean McShan, II, Edward Dean McShan, Alyssa Mcardle,

Jennifer A. Meachum, Lakunta Ashford, Mark Ashley, Association of Vermont Credit Unions, Inc., Gary Asti, Timothy Astor, Jose Atilas, Ashlie Atkinson, Atlantic City Federal Credit Union, Michelle E. Austin, Aventa Credit Union, Larry Newcomer, Jeff Newkirk, Linda Newsome, Tien Phi Nguyen, Jerry Nielson, Michelle Nielson, Glenntavius Nolan, Dana James Normoyle, Sharon Normoyle, Destinni Norris, Lou Marino, Darin Marion, Stacy Markowitz, Paul Marrs, Tammie Marrs, Christina Martell, Daniel Martin, Drew Martin, James Martin, Sean J. Martin, MD/DC Credit Union Association, BRYAN MINKA, JACQUELINE MINKA, Carl Maar, John MacInnis, Jane Guzi Macedonia, Tanya Mack, Timothy Mack, Belinda Mackey, Jack Mackleer, MICHAEL SPOSITI, Jennifer Saavedra, Jennifer Saavedra, Melvin Safford, II, Alejandro Salinas, Eileen Sue Samilow, Nida Samson, Patricia Samuelson, Gustavo Carlo Sanchez, Laura Sander, Marilyn Bledsoe, Matthew Bledsoe, Joseph Gershon Blieberg, Carson Block, Kristine Bobbitt, Earl Bolen, Sabina Bologna, John M Boothe, Tim Borland, Emily Bosak, Marilyn Dorsey, Trevor Dorsey, Elizabeth Dorssom, Eileen Doten, Maura Dowgin, Andrew Dremak, Christopher S. Drugan, K'acia Drummer, Nancy Dublin, Mark A. Dudas, Mark Carr, Shawnette Carter, Randolph Jefferson Cary, III, Ashley Cashon, Ashley Cashon, James A Cederdahl, Miriam Cejas, Christopher Chaffin, Elizabeth Chakan, Dawn Lea Chalmers, Melinda Pettery, James A. Pfaff, Michelle Phillips, Pierce N Tell of Sarasota, LLC, Alvin Pierre, Mercedes Pillette, Pinnacle Bancorp, Krista Pino, Jason Pippin, Anthony Sabastian Pitarra, Michael Herrmann, Kory Hershkowitz, Solomon Hesney, Christopher Highfield, Zacariah Hildenbrand, Catrice Hill, Kazembe Hill, Layne A. K. Hill, William Hill, Walter Hinck, Michael Irwin, Krista Itzhak, Kashmir A. Jackson, Marlon Jackson, Gary Jaetzold, Alexis Budinas Janusz, Glenn Jaspers, Jelli Donuts, LLC, Tammy Jett, Michael Moore, Diane S. Moore, John Morgan, Julie Morgan, Sharon Morgan, William Moriarty, Charles Morin, Susan Morin, Jason Morris, Bonnie Morvin, Michael Norris, Wayne Norris, Gloria Noster, Russell A. Noster, Craig Nowinsky, Numark Credit Union, Paul Nuosci, Jerry Nutt, Kevin O'Brien, Sarah O'Brien, Michael Steven Orloff, Edward Osborne, Sharon Suzanne Oselin, Paul Ostoya, Oteen VA Federal Credit Union, Brian M. Owens, ROBERT PACELLI, Anna Pacheco, Juan Pacheco, John J. Pagliarulo, Michelle Marie LaMontagne, Sheneda Laforest, Douglas Laktonen, Ellen Lamb, Owen Lamb, Dan Lang, Michael R. Lanigan, Alain Lapter, Ana Lapter, Robert W. Larkin, Jr, Milo Gene Kartchner, Sr, Tamara Ann Kartchner, Benjamin Katz, Josef Katz, Leslie Katz, Carol L. Kauffman, Paul R. Kauffman, Simon Kaufman, Victoria Kealy, Michael S. Keenan, Monique Dela Cruz, Melissa Derby, Melissa Derby, Jaime Lea Derderian, Imtiyaz Dhuka, Abuzar Dhukka, John

A. DiMichele, Douglas Diamond, Ernesto Diaz, Johann Manuel Diaz, Nancy Gauger, James A. Gay, Andrew C. Geller, Jody L. Geller, Gerber Federal Credit Union, Joshua Gerstein, Ehud Gersten, Robert Gibbs, Robin Gibson, Troy K. Gibson, Natalie Quagliani, Barbara Queenen, ASHLEY R. RICH, Rafco, LLC, Sheena Raffin, Kevin W. Rainbolt, Sanjay Kumar Rajput, Horace C. Ramey, Jonathan Ramirez, Mark Ramsay, Nathan P. Hirst, James Hogan, Charles Hogencamp, Mark Holan, Leonard Phillip Holguin, Sonia Holley, Angel Holloway, Kathleen Holly, M. Justin Holoman, Robert Honanian, Nathan Turner, Trevor Turner, Paul Turok, Jennifer Tweeddale, Elizabeth Twitchell, Lisa Tyree, UMassFive College Federal Credit Union, Stacey J. P. Ullman, University of Louisiana Federal Credit Union, University of Louisiana Federal Credit Union, Ohio Credit Union League, Steve Ojeda, Andrea Oldja, Paul Oldja, Dana Oleson, Lisa Olivo, Dana Olson, Kyle Olson, One Cent Lane, LLC, Mel Orchard, III, Oshik Perez, Dallas Perkins, Monica Rae Perkins, Deborah Person, Donald Person, Greg Pesek, Christopher Peters, Kenneth Peterson, Parry Petroplus, Andrea E. Petrungaro, Pamela R. Bassett, Karen Baswell, David Batten, Derek Baumgardner, Patricia Baxter, Leon Beard, Bernadette Beekman, Matthew Belden, Lawrence R Belfon, Jaclyn Belland, Patricia A. Walker, Retha Pearl Walker, Ann Marie Walsh, Daniel Walsh, James Walters, Bristol Ward, Craig Ward, Christopher Ware, Oliver Jr. Ware, Jerome Warner, Patrick Davis, Laura J. Davison, Terry Davison, Dianna Davitz, Tammy Tonette De Ville, Donna DeConcini, Daniel DeMarco, Jr, Jennifer Pascucci DeMarco, Linda DeVore, Isabel Holguin Decker, Paul William Bishop, Roy Bishop, Roy Bishop, Avi Joshua Bitton, James A. Black, Petre Fiona Black, Chevera Blakemore, Christine L. Blauvelt, Jeanette Ann Bleckley, Kathryn Bledsoe, Porsha Smith–Norwood, Matthew Snell, Akop Sogomonyan, Lauren Solin, Glenn Allen Solomon, Anna Solorio, South Florida Federal Credit Union, South Florida Federal Credit Union, Southwest Louisiana Credit Union, Sharon Souza, Ralph Leigh, Daniel Lenczewski, Nancy G. Lenczewski, Clarence Lester, Karen Lester, Edward Levin, Jr., Stephen M. Levine, David Levy, John Lewis, Jon M. Lewis, Richard Poligan, David Pollack, Brandy Poole, Charles Millard Porter, Robin D. Porter, William R. Porter, Daniel Powell, Cassandra Powers, Douglas Ivan Powers, Gloria Jean Powers, Rita Joyce Pitarra, Leo Placencia, III, Lorraine Plante, Stephen Plante, Christina Platt, Diane Platts, Thomas W. Pleasant, Justin Poarch, Lori Pobiner, Gregg Podalsky, Robert Wickens, Gary Wilens, Debbie Wiley, Erin Wilhite, George W Wilhite, Jay Travis Wilhite, Todd R Wilhite, Sara E. Wilkerson–Klopfenstein, Kirby Wilkins, Alfredo Williams, Rodney Williams, Thomas A. Williams, Cory Eugene Wilson, Danial Wilson, Juliette Ann Wiltz, Steven Wininger,



Wisconsin Credit Union League, Jennifer Wise, Richard Wittenberg, Michael Wolf, Roshunda Gulley, Amanda Gurtis, Julia Gutierrez, Elio Guzman, Mallory E. Haddon, Jade Haileselassie, Jade Haileselassie, Ricky Lee Hale, Angela Michelle Hall, Ashley Miranda Hall, Rueben Grajeda, Denise Carter Gray, Greater Cincinnati Credit Union, Emily Green, Latosha Green, Sherry Green, Mary Greenlee, Jennifer Greenwald, Thomas Greenwood, Thomas Greenwood, Sean Bosak, Samuel Boundy, Rodney Boyer–Rainwater, Daniel Bozin, William L. Brachat, Mary Bradley, Sherri Vernetta Bradley, Valencia Vee Bradley, Michael Branch, Shenna Gifford, Lisa Gladwell, Asha Goldweber, Rosemary Gonzalez, Zachary Goodale, Laura J. Goode, Jennifer Goodman, Michael Gottesman, Nicole Grafton, St. Croix Chippewa Indians of Wisconsin, Reevney St. Luc, Nancy Stabell, Justin Stabenow, Megan Staker, Vera Standish, Tyler Stanfield, Summer Nicole Starbuck, State Employees Federal Credit Union, Steven B. Stein, Summit Credit Union, Suncoast Credit Union, Marty Super, Superior Services Investment Group, LLC, Cheryl Sutkaytis, Steven Sutkaytis, Mildred Sutton, Michael J. Syrowski, Elisabeta Szekely, Gene Tabish, Craig Maxwell, Paula Mayweather, Blake McBride, Margaret McCable, Richard McCall, Alexander McCalla, Antonietta McCann, Raymond McCartney, Morgan McClung, Telesforo Jimenez, Greg Johns, Aaron M Johnson, Angela Melton Johnson, Dawn Johnson, Elvis A. Johnson, Ernestine Johnson, Jessica Johnson, Lisa C Johnson, Rodney H Johnson, Teresa Sue Martin, William Marvin Martin, Jr, Martin's Auto Repair, Anna Martinez, Gary Martinez, Jacqueline Martinez, Carlos Martinho, Dori M. Mashburn, Bruce Mattock, Bruce Mattock, Terra Weaver, Roger Weist, David Weloth, Barbara Westbrook, Kaitlin Whitcomb, Amanda Janaye White, Carolyn White, David White, Jennifer Whitfill, Richard Whittington, Terry Lunkvitz, Alexandra Elizabeth Lynch, Alicia Lynch, Reagan Lynch, Kathleen Lyons, PETER MALVASI, ABRAHAM MANOPLA, EVELYN MANOPLA, FORTUNA MANOPLA, LILIAN MANOPLA, Terry Mead, Suzanne Meade, Lisa Melegari, Jason Melrath, Julia Mendoza, Nicci Mendoza, Zandra Mendoza, Allan Menzer, Brooke Merino, Jennifer Mertlich, Theodore Zasada, Theodore Zasada, Brooke Zaugg, Jared Zaugg, Mark Zelakowski, Mark Zeleznick, Nicole Zeleznick, Kurt Zende, Lily Zhou, Mary L. Zribi, Theresa M. Galpin, Frederick Gardner, Nikki–Lynn Gardner, James M. Garrity, Blair Garthright, Charles Gastineau, James Gates, Matthew Gates, Andrew Gauger, Nancy Gauger, Tiffany Fossett, John Fralick, Larry Frank, Patricia Frank, Karen Franklin, Michael Franklin, Tawanda Frazier, Randi Freeman, James Freeman–Hargis, Albert Louis Fried, Timothy Durham, Joanne Durrang, Keisha Dykes, William M. Eames, Jonathon Earl, John Eastman, Katherine

			Edwards, Atir Edwin, Karl Gordon Eikost, Elements Financial Federal Credit Union, W. Craig Schur, Anthony Scott, SeaComm Federal Credit Union, Jeff Seiter, Julianne Sekiya, Derek Selders, Services Credit Union, Seven Seventeen Credit Union, Angela Seymore, Omar Seymore, Walter Johnson, Jr., Heather Johnston, Jonah Bank of Wyoming, Beronica Jones, Frances Jones, Lisa Niambi Jones, Henan Louis Joof, Christine Jorge, Scott Josefsberg, David Jungali, Walter Kivlan, Jerry Klavans, Pamela Klein, Steve Klein, Brandon J. Klopfenstein, Michael P. Kloss, Lara Knebel, Terrance Knepper, Emily Knowles, William Knudsen, Wright-Patt Credit Union, Mitchell Wyatt, Rae Wyckoff, Brenda Kay Wygal, Edward Wygal, Kyoko Yamamoto, David H. Yoder, Joe Yoder, Kenneth Yoeckel, Bridgette Young, Yulissa Cortez, Joseph T. Coughlin, Brian Cox, Jessica Cox, Mary Coyne, Tonya M. Coyne, Bridget Craney, Credit Union League Of Connecticut, Credit Union National Association, Aura Crespo (EQACtrk)(Clark, Melissa) Modified on 6/19/2019 (sap). (Entered: 06/18/2019)
06/27/2019	<u>729</u>		ORDER directing the Clerk to administratively close the individual pro se civil action number 1:18-cv-2044-TWT related to this MDL action. Signed by Judge Thomas W. Thrash, Jr. on 6/27/19. (EQACtrk)(ddm) (Entered: 06/28/2019)
06/28/2019	<u>730</u>		NOTICE of Hearing: A status conference with lead counsel and liaison counsel in the above-referenced Equifax cases is scheduled for <b>Monday, July 29, 2019 at 3:00 p.m.</b> in Courtroom 2108 before Judge Thomas W. Thrash, Jr. (See Notice for full details.) Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03463-TWT, 1:18-cv-00317-TWT(EQFItrk)(cmd) (Entered: 06/28/2019)
07/02/2019	<u>731</u>		ORDER ADMINISTRATIVELY CLOSING the individual pro se civil action 1:19-cv-1996-TWT. Signed by Judge Thomas W. Thrash, Jr. on 7/2/2019. (EQACtrk) (sap) (Entered: 07/03/2019)
07/03/2019	<u>732</u>		ORDER ALLOWING AUDIO/VISUAL EQUIPMENT IN THE COURTROOM on 7/29/2019 at 3:00 p.m. as to Joe Guglielmo and Gary Lynch. Signed by Judge Thomas W. Thrash, Jr. on 7/3/2019. (EQFItrk)(cmd) (Entered: 07/03/2019)
07/09/2019	<u>733</u>		CONDITIONAL TRANSFER ORDER CTO-42 from the Judicial Panel on Multidistrict Litigation. (Eustice v. Equifax Inc from the Southern District of Texas, Our Case Number 1:19-cv-03128-TWT) (EQACtrk) (sap) (Entered: 07/09/2019)
07/10/2019	<u>734</u>		

			<p>TRANSCRIPT of the Status Conference Hearing Proceedings held on June 12, 2019, before Judge Thomas W. Thrash, Jr. Court Reporter/Transcriber Diane Peede. A full directory of court reporters and their contact information can be found at <a href="http://www.gand.uscourts.gov/directory-court-reporters">www.gand.uscourts.gov/directory-court-reporters</a>. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/31/2019. Redacted Transcript Deadline set for 8/12/2019. Release of Transcript Restriction set for 10/8/2019. (Attachments: # <u>1</u> Notice of Filing of Official Transcript) (EQCctrk)(kac) (Entered: 07/10/2019)</p>
07/11/2019	<u>735</u>		<p>ORDER ALLOWING AUDIO/VISUAL EQUIPMENT IN THE COURTROOM on 7/29/2019 at 3:00 p.m. as to Kyle G. Bates and Peter B. Schneider. Signed by Judge Thomas W. Thrash, Jr. on 7/11/2019. (EQFtrk)(cmd) (Entered: 07/11/2019)</p>
07/11/2019	<u>736</u>		<p>ORDER ADMINISTRATIVELY CLOSING all the individual pro se civil actions related to this MDL action listed in the Order. Signed by Judge Thomas W. Thrash, Jr. on 7/10/2019. (EQACtrk) (sap) (Entered: 07/11/2019)</p>
07/18/2019	<u>737</u>		<p>Unopposed MOTION for Extension of Time File Response in Opposition re: <u>648</u> MOTION to Amend by Equifax Information Services LLC, Equifax, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(EQFtrk)(Haskins, Sidney) (Entered: 07/18/2019)</p>
07/18/2019	<u>738</u>		<p>NOTICE of Appearance by Edith Ramirez on behalf of Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc. (EQCctrk)(Ramirez, Edith) (Entered: 07/18/2019)</p>
07/22/2019	<u>739</u>		<p>MOTION for Order <i>to Direct Notice of Proposed Settlement to the Class</i> with Brief In Support by ALL PLAINTIFFS. (Attachments: # <u>1</u> Brief Plaintiffs' Memorandum in Support of Their Motion to Direct Notice of Proposed Settlement, # <u>2</u> Exhibit 1: Settlement Agreement and Release, # <u>3</u> Exhibit 2: Proposed Order Directing Notice, # <u>4</u> Exhibit 3: Declaration of Class Counsel, # <u>5</u> Exhibit 4: Declaration of Jim Messina, Signal Interactive Media, LLC, # <u>6</u> Exhibit 5: Declaration of Jennifer M. Keough, JND Legal Administration, LLC, # <u>7</u> Exhibit 6: Declaration of Mary Frantz, # <u>8</u> Exhibit 7: Declaration of James Van Dyke, # <u>9</u> Exhibit 8: Declaration of Hon. Layn Phillips (Ret.))(EQCctrk)(Barnes, Roy) (Entered: 07/22/2019)</p>
07/22/2019			<p>NOTICE of Hearing on Motion re: <u>739</u> MOTION for Order <i>to Direct Notice of Proposed Settlement to the Class</i>. Motion Hearing set for 7/22/2019 at 11:00 AM in ATLA Courtroom</p>

			2108 before Judge Thomas W. Thrash Jr.. (EQCCtrk) (cmd) (Entered: 07/22/2019)
07/22/2019	<u>740</u>		ORDER ALLOWING AUDIO/VISUAL EQUIPMENT IN THE COURTROOM on 7/22/2019 at 11:00 a.m. as to Amy Keller and Norman Siegel. Signed by Judge Thomas W. Thrash, Jr. on 7/22/2019. (EQCCtrk) (cmd) (Entered: 07/22/2019)
07/22/2019	<u>741</u>		ORDER GRANTING <u>737</u> Unopposed Motion for Extension of Time to respond to the <u>648</u> MOTION for Leave to Amend. Defendants shall file their response on or before 7/29/2019. The Financial Institution Plaintiffs may file a reply on or before 9/6/2019. Signed by Judge Thomas W. Thrash, Jr. on 7/22/2019. (EQFItrk)(cmd) (Entered: 07/22/2019)
07/22/2019	<u>742</u>		ORDER DIRECTING NOTICE: Deadline for Defendant to disseminate CAFA notices is August 1, 2019, Deadline for Defendant to provide settlement class list to settlement administrator is July 27, 2019, the Notice due date is September 20, 2019, Deadline to file Class Counsel's motion for attorneys' fees, costs, expenses and service awards is October 29, 2019, Deadline for Class Counsel to file motion for final approval of settlement and responses to any timely submitted settlement class member objections is December 5, 2019, the Objection and Opt-out deadline is November 19, 2019, the Initial claims deadline is January 22, 2020, and the Extended claims deadline is January 22, 2024. An Approval Hearing is SCHEDULED to take place before the Court on December 19, 2019, at 10 a.m. in Courtroom 2108 of the United States District Court. Signed by Judge Thomas W. Thrash, Jr. on 7/22/2019. (EQCCtrk) (sap) (Entered: 07/22/2019)
07/22/2019	<u>767</u>		Minute Entry for proceedings held before Judge Thomas W. Thrash, Jr.: MOTION HEARING held on 7/22/2019 re Counsel's request to preliminarily approve the proposed class action settlement and Plaintiffs' (739 in 1:17-md-02800-TWT) Motion for Order to Direct Notice of Proposed Settlement to the Class. The Court preliminarily approved the proposed class action settlement and ordered notice be given to the class members. The Court approved the proposed notice plan and settlement administration process. Final approval hearing scheduled for December 19th, 2019 at 10:00 a.m. (Associated Cases: 1:17-md-02800-TWT, 1:19-cv-03297-TWT, 1:19-cv-03300-TWT) (Court Reporter Diane Peede) (EQCCtrk) (sap) (Entered: 07/24/2019)
07/24/2019	<u>743</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by ALL PLAINTIFFS to AT&T Corporation

			(EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>744</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ALL PLAINTIFFS to <i>AT&amp;T Mobility, LLC</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>745</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ALL PLAINTIFFS to <i>Bank of America Corporation</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>746</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ALL PLAINTIFFS to <i>Bank of America a/k/a Bank of America National Association</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>747</u>		NOTICE Of Filing Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ALL PLAINTIFFS to <i>Comcast Corporation</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>748</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ANECA Federal Credit Union to <i>Consumer Data Industry Association</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>749</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ANECA Federal Credit Union to <i>Consumer Financial Protection Bureau</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>750</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ANECA Federal Credit Union to <i>Epiq Class Action &amp; Claims Solutions, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>751</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ANECA Federal Credit Union to <i>Experian Information Solutions</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>752</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ANECA Federal Credit Union to <i>Fidelity Information Services, LLC</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)

07/24/2019	<u>753</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ANECA Federal Credit Union to <i>Fidelity National Card Services, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>754</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ANECA Federal Credit Union to <i>McGinn &amp; Company</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>755</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ANECA Federal Credit Union to <i>MeridianLink, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>756</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ANECA Federal Credit Union to <i>MicroBilt Merchant Services, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>757</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ANECA Federal Credit Union to <i>MicroBilt Corporation</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>758</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ANECA Federal Credit Union to <i>PCI Security Standards Council, LLC</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>759</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ANECA Federal Credit Union to <i>Rapid7, LLC</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>760</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ANECA Federal Credit Union to <i>RSA Security, LLC</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>761</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ANECA Federal Credit Union to <i>Security Metrics, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>762</u>		



			NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ANECA Federal Credit Union <i>to Sitel Operating Corporation f/k/a Logic Operating Corporation</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>763</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ANECA Federal Credit Union <i>to Sprint Corporation</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>764</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ANECA Federal Credit Union <i>to TMobile</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>765</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ANECA Federal Credit Union <i>to The Apache Software Foundation</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>766</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ANECA Federal Credit Union <i>to The R Group Public Relations Company, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>768</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ANECA Federal Credit Union <i>to Trans Union, LLC</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>769</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ANECA Federal Credit Union <i>Cellco Partnership d/b/a Verizon Wireless</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>770</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ANECA Federal Credit Union <i>to Verizon Communications, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)
07/24/2019	<u>771</u>		NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by Financial Institution Plaintiffs by ANECA Federal Credit Union <i>to Verizon Wireless Services, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 07/24/2019)

07/25/2019	<u>773</u>		FINAL JUDGMENT AND PERMANENT INJUNCTION. Signed by Judge Thomas W. Thrash, Jr. on 7/25/2019. (Associated Cases: 1:17-md-02800-TWT and 1:18-cv-05611-TWT) (EQACtrk) (sap) (Entered: 07/26/2019)
07/26/2019	<u>772</u>		TRANSCRIPT of the Motion Hearing Proceedings held on July 22, 2019, before Judge Thomas W. Thrash, Jr. Court Reporter/Transcriber Diane Peede. A full directory of court reporters and their contact information can be found at <a href="http://www.gand.uscourts.gov/directory-court-reporters">www.gand.uscourts.gov/directory-court-reporters</a> . Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 8/16/2019. Redacted Transcript Deadline set for 8/26/2019. Release of Transcript Restriction set for 10/24/2019. (Attachments: # <u>1</u> Notice of Filing of Official Transcript) (EQCCtrk)(kac) (Entered: 07/26/2019)
07/29/2019	<u>774</u>		RESPONSE in Opposition re <u>648</u> MOTION to Amend filed by Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc.. (Attachments: # <u>1</u> Exhibit 1 – First Choice Federal Credit Union v. Equifax Complaint)(EQFItk)(Balser, David) (Entered: 07/29/2019)
07/29/2019	<u>783</u>		Minute Entry for proceedings held before Judge Thomas W. Thrash, Jr.: Status Conference held on 7/29/2019. (Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03463-TWT, and 1:18-cv-00317-TWT) (Court Reporter Diane Peede) (EQFItk) (sap) (Entered: 08/05/2019)
07/30/2019	<u>775</u>		TRANSCRIPT of Proceedings held on 7/29/19 (Status Conf), before Judge Thomas W. Thrash, Jr. Court Reporter/Transcriber Diane Peede. A full directory of court reporters and their contact information can be found at <a href="http://www.gand.uscourts.gov/directory-court-reporters">www.gand.uscourts.gov/directory-court-reporters</a> . Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 8/20/2019. Redacted Transcript Deadline set for 8/30/2019. Release of Transcript Restriction set for 10/28/2019. (Attachments: # <u>1</u> Notice of Filing Transcript) (EQACtrk)(pjm) (Additional attachment(s) added on 7/30/2019: # <u>2</u> Correct Transcript, # <u>3</u> Correct NFT) (pjm). (Entered: 07/30/2019)
07/30/2019	<u>782</u>		Sealed Entry. (EQCCtrk) (sap) (sap). (Entered: 08/05/2019)
07/31/2019	<u>776</u>		<b>SEALED</b> TRANSCRIPT of an Excerpt (the Court's ruling) of a Telephone Conference Hearing Proceedings held on July 30, 2019, before Judge Thomas W. Thrash, Jr. Court



			<p>Reporter/Transcriber Diane Peede. A full directory of court reporters and their contact information can be found at <a href="http://www.gand.uscourts.gov/directory-court-reporters">www.gand.uscourts.gov/directory-court-reporters</a>. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 8/21/2019. Redacted Transcript Deadline set for 9/3/2019. Release of Transcript Restriction set for 10/29/2019. (Attachments: # <u>1</u> Notice of Filing of Official Transcript) (EQCCtrk)(kac) Modified on 7/31/2019 (cmd). Modified on 8/5/2019 per the <u>781</u> Order (sap). (Entered: 07/31/2019)</p>
07/31/2019	<u>777</u>		<p><b>SEALED</b> TRANSCRIPT of Proceedings held on 7/30/19 (Excerpt of Tele Conf), before Judge Thomas W. Thrash, Jr. Court Reporter/Transcriber Diane Peede. A full directory of court reporters and their contact information can be found at <a href="http://www.gand.uscourts.gov/directory-court-reporters">www.gand.uscourts.gov/directory-court-reporters</a>. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 8/21/2019. Redacted Transcript Deadline set for 9/3/2019. Release of Transcript Restriction set for 10/29/2019. (Attachments: # <u>1</u> Notice of Filing Transcript) (EQACtrk)(pjm) Modified on 7/31/2019 (cmd). Modified on 8/5/2019 per the <u>781</u> Order (sap). (Entered: 07/31/2019)</p>
07/31/2019	<u>787</u>		<p>TRANSFER ORDER (Doc 1015) from the Judicial Panel on Multidistrict Litigation. (Joshpe v. Equifax Information Services LLC from Southern District of New York) (EQACtrk) (sap) (Entered: 08/08/2019)</p>
08/01/2019	<u>778</u>		<p>NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by ANECA Federal Credit Union <i>to Capital One Bank (USA) National Association</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 08/01/2019)</p>
08/01/2019	<u>779</u>		<p>NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by ANECA Federal Credit Union <i>to Jack Henry &amp; Associates</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 08/01/2019)</p>
08/01/2019	<u>780</u>		<p>NOTICE Of Filing Financial Institution Plaintiffs' Notice of Withdrawal of Subpoena Duces Tecum Without Prejudice by ANECA Federal Credit Union <i>to Wells Fargo Bank, National Association, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 08/01/2019)</p>
08/02/2019	<u>781</u>		<p>CONSENT ORDER – This cause is before the Court on the Parties' request to seal the transcript of the telephonic conference hearing held on July 30, 2019 ("Proceedings").</p>

			For good cause, the request is GRANTED. The entire transcript of the Proceedings, in addition to the corresponding minute entries at Dkt. Nos. <u>776</u> and <u>777</u> , shall be SEALED. Signed by Judge Thomas W. Thrash, Jr. on 8/2/2019. (EQCCtrk)(tcc) (Entered: 08/02/2019)
08/06/2019	<u>784</u>		ORDER denying <u>385</u> Motion for Order Establishing Separate Track for Governmental Enforcement Actions. Signed by Judge Thomas W. Thrash, Jr. on 8/5/2019. (EQACtrk) (sap) (Entered: 08/06/2019)
08/06/2019	<u>785</u>		ORDER denying <u>577</u> Motion for Order Establishing Separate Track for Indian Tribal Governments. Signed by Judge Thomas W. Thrash, Jr. on 8/5/2019. (EQACtrk) (sap) (Entered: 08/06/2019)
08/06/2019	<u>789</u>		MOTION for Order Setting Deadline to Pay Settlement Fee to Petitioning Parties by Peter J. LaBreck, Elizabeth M. Simons, Gregory A. Simons, Joshua D. Simons. (EQCCtrk) (sap) (Entered: 08/09/2019)
08/07/2019	<u>786</u>		NOTICE by Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc. <i>of Compliance With Class Action Fairness Act of 2005</i> (Attachments: # <u>1</u> Exhibit 1 – Declaration of David L. Balser Regarding Service of Notice Under Class Action Fairness Act of 2005)(EQCCtrk)(Balser, David) (Entered: 08/07/2019)
08/07/2019	<u>788</u>		CONDITIONAL TRANSFER ORDER CTO–43 from the Judicial Panel on Multidistrict Litigation. (Debo v. Equifax Credit Information Services, Inc. from District of Minnesota, Our Case Number 1:19–cv–03594–TWT) (EQACtrk) (sap) (Entered: 08/08/2019)
08/09/2019	<u>790</u>		ORDER ADMINISTRATIVELY CLOSING the individual pro se civil action 1:19–cv–1383–TWT. Signed by Judge Thomas W. Thrash, Jr. on 8/8/2019. (EQACtrk) (sap) (Entered: 08/09/2019)
08/12/2019	<u>791</u>		NOTICE Of Filing Letter to Judge Thrash regarding Equifax's assertion of privilege over documents given to Mr. Graeme Payne by Equifax's counsel by ALL PLAINTIFFS re <u>624</u> Objection (Attachments: # <u>1</u> Exhibit A – Email)(EQFIttk)(Guglielmo, Joseph) (Entered: 08/12/2019)
08/12/2019	<u>792</u>		NOTICE Of Filing Letter to Judge Thrash regarding Equifax's establishment of a restricted "Reading Room" for documents designated as "sensitive" produced to Plaintiffs by ALL PLAINTIFFS (EQFIttk)(Guglielmo, Joseph) (Entered: 08/12/2019)
08/14/2019	<u>793</u>		NOTICE by ALL PLAINTIFFS <i>of Service of Preservation Subpoena to be Issued to Evalon, Inc.</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 08/14/2019)

08/14/2019	<u>794</u>		NOTICE by ALL PLAINTIFFS <i>of Service of Preservation Subpoena to be Issued to Tata Consulting Services</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 08/14/2019)
08/14/2019	<u>795</u>		( <b>DUPLICATE ENTRY OF 794</b> ) NOTICE by ALL PLAINTIFFS <i>of Service of Preservation Subpoena to be Issued to Tata Consulting Services</i> (EQACtrk)(Gibson, MaryBeth) Modified on 8/15/2019 (sap). (Entered: 08/14/2019)
08/14/2019	<u>796</u>		( <b>DUPLICATE ENTRY OF 793</b> ) NOTICE by ALL PLAINTIFFS <i>of Service of Preservation Subpoena to be Issued to Evalon, Inc.</i> (EQACtrk)(Gibson, MaryBeth) Modified on 8/15/2019 (sap). (Entered: 08/14/2019)
08/15/2019	<u>797</u>		NOTICE by ALL PLAINTIFFS <i>Notice of Subpoena to be Issued to JP Morgan Chase Bank, National Association</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 08/15/2019)
08/20/2019	<u>798</u>		MOTION to Withdraw JASON SCOTT KANTERMAN as Attorneyby MARK ISACOFF, ROBERT KOHN, Susan Kohn. (Attachments: # <u>1</u> Text of Proposed Order)(EQCctrk)(KANTERMAN, JASON) (Entered: 08/20/2019)
08/21/2019	<u>800</u>		CONDITIONAL TRANSFER ORDER CTO-45 from the Judicial Panel on Multidistrict Litigation. (Silva v. Equifax, Inc. from District of Hawaii, Our Case Number 1:19-cv-03825-TWT and Khalaf v. Equifax Inc. et al from New York Southern, Our Case Number 1:19-cv-03830-TWT). (EQACtrk) (sap) (Entered: 08/23/2019)
08/22/2019	<u>799</u>		RESPONSE re <u>789</u> MOTION for Order Setting Deadline to Pay Settlement Fee to Petitioning Parties filed by ALL PLAINTIFFS. (EQACtrk)(Canfield, Kenneth) (Entered: 08/22/2019)
08/27/2019	<u>801</u>		PROPOSED ORDER Case Management Order No. 6. (EQFitrk)(Balser, David) (Entered: 08/27/2019)
08/28/2019	<u>802</u>		CASE MANAGEMENT ORDER NO. 6 (Financial Institutions Track). Signed by Judge Thomas W. Thrash, Jr. on 8/28/2019. (EQFitrk) (sap) (Entered: 08/29/2019)
08/29/2019	<u>803</u>		PROPOSED ORDER Coordinated Discovery Order. (EQACtrk)(Balser, David) (Entered: 08/29/2019)
08/30/2019	<u>804</u>		Sealed Entry. (EQCctrk) (sap) (sap). (Entered: 09/03/2019)
09/03/2019	<u>805</u>		MOTION for Reconsideration re <u>784</u> Order on Motion for Order with Brief In Support by City Of Chicago. (Attachments: # <u>1</u> Brief Memorandum in Support of Motion for Reconsideration, # <u>2</u> Exhibit Exhibit 1—Chicago v. Uber, # <u>3</u> Exhibit Exhibit 2—Certificate of Conference)(EQACtrk)(Kane, Stephen) (Entered: 09/03/2019)

			09/03/2019)
09/03/2019	<u>810</u>		Letter re Exclusion (Opt Out) Request from Joyce Lee Hill (EQCCtrk) (sap) (Entered: 09/06/2019)
09/03/2019	<u>811</u>		Letter re Exclusion (Opt Out) Request from Tommy Edward Hill (EQCCtrk) (sap) (Entered: 09/06/2019)
09/04/2019	<u>806</u>		COORDINATED DISCOVERY ORDER. Signed by Judge Thomas W. Thrash, Jr. on 8/30/2019. (Associated Cases: 1:17-md-02800-TWT and 1:17-cv-03463-TWT) (EQACtrk) (sap) (Entered: 09/04/2019)
09/04/2019	<u>809</u>		CONDITIONAL TRANSFER ORDER CTO-47 from the Judicial Panel on Multidistrict Litigation. (MartinMichael Ventress v. Equifax, Inc. from California Central, Our Case Number 1:19-cv-03968-TWT) (EQCCtrk) (sap) (Entered: 09/06/2019)
09/05/2019	<u>813</u>		RESPONSE in Opposition re <u>739</u> MOTION for Order <i>to Direct Notice of Proposed Settlement to the Class</i> filed by Shiyang Huang. (EQCCtrk) (sap). (Entered: 09/06/2019)
09/06/2019	<u>807</u>		ORDER ADMINISTRATIVELY CLOSING the individual pro se civil action 1:19-cv-3968-TWT. Signed by Judge Thomas W. Thrash, Jr. on 9/5/2019. (EQCCtrk) (sap) (Entered: 09/06/2019)
09/06/2019	<u>808</u>		Sealed entry. (EQCCtrk) (jdb) (Entered: 09/06/2019)
09/06/2019	<u>812</u>		(SEALED) TRANSCRIPT of Proceedings (Telephone Status Conference) held on August 30, 2019, before Judge Thomas W. Thrash, Jr.. Court Reporter/Transcriber Diane Peede. A full directory of court reporters and their contact information can be found at <a href="http://www.gand.uscourts.gov/directory-court-reporters">www.gand.uscourts.gov/directory-court-reporters</a> . Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 9/27/2019. Redacted Transcript Deadline set for 10/7/2019. Release of Transcript Restriction set for 12/5/2019. (EQCCtrk)(sap) (Entered: 09/06/2019)
09/06/2019	<u>814</u>		REPLY to Response to Motion re <u>648</u> MOTION to Amend <i>Financial Institution Plaintiffs' [Proposed] Second Amended Consolidated Complaint</i> filed by ASI Federal Credit Union, Washington Gas Light Federal Credit Union, Texas First Bank, The First State Bank, The Summit Federal Credit Union, Consumers Cooperative Credit Union, D.L. Evans Bank, Peach State Federal Credit Union, First Financial Credit Union, Virginia Credit Union League, Financial Health Federal Credit Union, New York Credit Union Association, Hudson River Community Credit Union, Illinois Credit Union League, Independent Community

			Bankers of America, Indiana Credit Union League, Credit Union National Association. (EQFItrk)(Guglielmo, Joseph) (Entered: 09/06/2019)
09/06/2019	<u>815</u>		NOTICE of Change of Address for Ben Barnow, Erich Paul Schork, Anthony Lee Parkhill, Marius Andreica, Derek Baumgardner, Tim Borland, Jamie Benson, Russ Benson, Val Chekmazov, Peter Cooke, Michael Erickson, Emily Green, Walter Hinck, Kathleen Holly, Joshua Iron Wing, Gary Jaetzold, Patricia A. Koller, Margaret McCable, Daniel E. Oberst, James Peacock, Richard Poligian, Chad Roofener, Corree Roofener, Elisabeta Szekely, Kellie Williams, and Michael Jay Williams, counsel for Val Chekmazov, Peter Cooke, Margaret McCable, James Peacock, Kellie Williams, Michael Jay Williams, Chris Brown, Michael Erickson, Joshua Iron Wing, Gary Jaetzold, Marius Andreica, Jamie Benson, Russ Benson, Daniel E. Oberst, Walter Hinck, Patricia A. Koller, Kathleen Holly, Derek Baumgardner, Chad Roofener, Corree Roofener, Emily Green, Richard Poligan, Elisabeta Szekely (EQCCtrk)(Barnow, Ben) Modified on 9/9/2019 (sap). (Entered: 09/06/2019)
09/09/2019			Submission of <u>648</u> MOTION to Amend, <u>789</u> MOTION for Order Setting Deadline to Pay Settlement Fee to Petitioning Parties, and <u>798</u> MOTION to Withdraw JASON SCOTT KANTERMAN as Attorney to District Judge Thomas W. Thrash Jr. (EQFItrk) (sap) (Entered: 09/09/2019)
09/10/2019	<u>817</u>		ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER 46 from the Judicial Panel on Multidistrict Litigation. (Carpenter et al v. Equifax Information Services, LLC et al from the District of Minnesota, Our Case Number 1:19-cv-04242-TWT) (EQCCtrk) (sap) (Entered: 09/12/2019)
09/12/2019	<u>816</u>		Amended JOINT PRELIMINARY REPORT AND DISCOVERY PLAN filed by ALL PLAINTIFFS. (EQFItrk)(Guglielmo, Joseph) (Entered: 09/12/2019)
09/12/2019	<u>818</u>		Joint MOTION To Set Deadlines <u>805</u> MOTION for Reconsideration re <u>784</u> Order on Motion for Order by Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(EQCCtrk)(Balser, David) (Entered: 09/12/2019)
09/13/2019	<u>819</u>		ORDER ADMINISTRATIVELY CLOSING the individual pro se civil action 1:19-cv-3723-TWT. Signed by Judge Thomas W. Thrash, Jr. on 9/12/2019. (EQCCtrk) (sap) (Entered: 09/16/2019)
09/16/2019	<u>820</u>		ORDER GRANTING JOINT MOTION TO SET DEADLINES: Any responses to Plaintiff City of Chicago's <u>805</u> Motion for Reconsideration shall be filed by October 10,

			2019, and Plaintiff City of Chicago shall file a consolidated reply in support of its Motion by October 24, 2019. Signed by Judge Thomas W. Thrash, Jr. on 9/16/2019. (EQCctrk) (sap) (Entered: 09/17/2019)
09/16/2019	<u>821</u>		SCHEDULING ORDER re <u>816</u> Amended Joint Preliminary Report and Discovery Plan. Signed by Judge Thomas W. Thrash, Jr. on 9/16/2019. (EQACtrk) (sap) (Entered: 09/17/2019)
09/18/2019	<u>822</u>		CONDITIONAL TRANSFER ORDER CTO-48 from the Judicial Panel on Multidistrict Litigation. (Jazlowiecki v. Equifax Inc. from the District of Connecticut, Our Case Number 1:19-cv-04293-TWT) (EQCctrk) (sap) (Entered: 09/19/2019)
09/20/2019	<u>823</u>		CERTIFICATE OF SERVICE <i>for Subpoena to be Issued to Sandra Winters</i> by ALL PLAINTIFFS.(EQFitrk)(Guglielmo, Joseph) (Entered: 09/20/2019)
09/20/2019	<u>824</u>		MOTION to Reject the Settlement by Susan Judkins. (EQCctrk) (sap) (Entered: 09/24/2019)
09/20/2019	<u>825</u>		MOTION to Reject the Settlement by John Judkins. (EQCctrk) (sap) (Entered: 09/24/2019)
09/20/2019	<u>826</u>		ORDER REINSTATING STAY OF CONDITIONAL TRANSFER ORDER 47 from the Judicial Panel on Multidistrict Litigation. (EQCctrk) (sap) (Entered: 09/24/2019)
09/23/2019	<u>828</u>		CONDITIONAL TRANSFER ORDER CTO-49 from the Judicial Panel on Multidistrict Litigation. (Silva v. Equifax, Inc. from the District of Hawaii, Our Case Number 1:19-cv-04384-TWT) (EQCctrk) (sap) (Entered: 09/26/2019)
09/23/2019	<u>830</u>		Letter re Equifax Settlement by Heidi Wilhelm (EQCctrk) (sap) (Entered: 09/26/2019)
09/23/2019	<u>831</u>		Letter re Equifax Settlement by David Albrecht (EQCctrk) (sap) (Entered: 09/26/2019)
09/23/2019	<u>832</u>		Letter re Equifax Settlement by Bert O. Richmond (EQCctrk) (sap) (Entered: 09/26/2019)
09/24/2019	<u>833</u>		Letter re Equifax Settlement by Edward W. Frank (EQCctrk) (sap) (Entered: 09/30/2019)
09/24/2019	<u>834</u>		Letter re Equifax Settlement by William Bonney (EQCctrk) (sap) (Entered: 09/30/2019)
09/24/2019	<u>835</u>		Letter re Equifax Settlement by Lewis Ware (EQCctrk) (sap) (Entered: 09/30/2019)
09/25/2019	<u>827</u>		



			NOTICE Of Filing Letter to Judge Thrash regarding Rule 1.12 Notice of Hiring Matthew Rosenthal by Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc. (EQACtrk)(Sumner, Phyllis) (Entered: 09/25/2019)
09/25/2019	<u>829</u>		ORDER ADMINISTRATIVELY CLOSING the individual civil action 1:19-cv-04242-TWT. Signed by Judge Thomas W. Thrash, Jr. on 9/25/2019. (EQCCtrk) (sap) (Entered: 09/26/2019)
09/25/2019	<u>836</u>		Letter re Equifax Settlement by Patrick Frank (EQCCtrk) (sap) (Entered: 09/30/2019)
09/25/2019	<u>837</u>		MOTION to Enforce Settlement Agreement by Lawrence M. Jacobson. (EQCCtrk) (sap) (Entered: 09/30/2019)
09/30/2019	<u>838</u>		ORDER ADMINISTRATIVELY CLOSING the individual civil action 1:19-cv-4293-TWT. Signed by Judge Thomas W. Thrash, Jr. on 9/30/2019. (EQCCtrk) (sap) (Entered: 09/30/2019)
09/30/2019	<u>841</u>		MOTION to Deny the Settlement by Beth Moscato. (EQCCtrk) (sap) (Entered: 10/07/2019)
09/30/2019	<u>842</u>		Letter re Equifax Settlement from George Bruno (EQCCtrk) (sap) (Entered: 10/07/2019)
10/02/2019	<u>839</u>		CONDITIONAL TRANSFER ORDER from the Judicial Panel on Multidistrict Litigation. (Johnston v. Equifax from the District of New Mexico, Our Case Number 1:19-cv-04503-TWT) (EQCCtrk) (sap) (Entered: 10/07/2019)
10/02/2019	<u>840</u>		Letter re Equifax Settlement from Elizabeth Harding-Estes (EQCCtrk) (sap) (Entered: 10/07/2019)
10/07/2019	<u>843</u>		NOTICE of Appearance by Christopher Justin Broome on behalf of Drew Martin, Samantha Woods, Joshua Woods, Michael Kemp, Jennifer Whitfill, James Carroll Hood, Jennifer Goodman, Neva Joyce Hood, Larry Bentley Hood and Thristian Michel. (Attachments: # <u>1</u> Schedule of Actions, # <u>2</u> List of Plaintiffs)(EQCCtrk)(Broome, Christopher) Modified on 10/8/2019 (sap). (Entered: 10/07/2019)
10/07/2019	<u>844</u>		OBJECTION to Opt-Out Deadline by Drew Martin. (EQCCtrk)(Broome, Christopher) (Entered: 10/07/2019)
10/08/2019			Submission of <u>824</u> MOTION to Reject the Settlement and <u>825</u> MOTION to Reject the Settlement to District Judge Thomas W. Thrash Jr. (EQCCtrk) (sap) (Entered: 10/08/2019)
10/08/2019	<u>845</u>		NOTICE of Appearance by Jay Edelson on behalf of City Of Chicago (EQACtrk)(Edelson, Jay) (Entered: 10/08/2019)

10/08/2019	<u>846</u>		NOTICE of Appearance by Benjamin H. Richman on behalf of City Of Chicago (EQACtrk)(Richman, Benjamin) (Entered: 10/08/2019)
10/08/2019	<u>847</u>		NOTICE of Appearance by Sydney Janzen on behalf of City Of Chicago (EQACtrk)(Janzen, Sydney) (Entered: 10/08/2019)
10/08/2019	<u>848</u>		NOTICE of Appearance by Eve-Lynn J. Rapp on behalf of City Of Chicago (EQACtrk)(Rapp, Eve-Lynn) (Entered: 10/08/2019)
10/10/2019	<u>849</u>		NOTICE by Equifax, Inc. of <i>Potential Intradistrict Tag-Along Action</i> (Attachments: # <u>1</u> Exhibit A – Complaint in Adams v. Equifax Inc., 1:19-cv-03682-TWT)(EQCCtrk)(Haskins, Sidney) (Entered: 10/10/2019)
10/10/2019	<u>850</u>		RESPONSE re <u>805</u> MOTION for Reconsideration re <u>784</u> Order on Motion for Order filed by Equifax, Inc.. (EQCCtrk)(Haskins, Sidney) (Entered: 10/10/2019)
10/17/2019	<u>851</u>		ORDER denying as premature <u>824</u> and <u>825</u> Motions to Reject the Settlement. The Plaintiffs may file objections to the proposed settlement. Signed by Judge Thomas W. Thrash, Jr. on 10/17/2019. (EQCCtrk) (sap) (Entered: 10/17/2019)
10/17/2019	<u>852</u>		MOTION to Telephonically Appear at Fairness Hearing by Shiyang Huang. (Attachments: # <u>1</u> Envelope)(EQCCtrk)(jdb) (Entered: 10/21/2019)
10/18/2019			Submission of the <u>841</u> MOTION to Deny the Settlement, and <u>837</u> MOTION to Enforce Settlement Agreement to District Judge Thomas W. Thrash Jr. (EQCCtrk)(aaq) (Entered: 10/18/2019)
10/21/2019	<u>854</u>		CONDITIONAL TRANSFER ORDER CTO-51 AND SIMULTANEOUS SEPARATION AND REMAND OF CERTAIN CLAIMS from the Judicial Panel on Multidistrict Litigation. (America v. Equifax from the Western District of Virginia, Our Case Number 1:19-cv-04848-TWT) (EQCCtrk) (sap) (Entered: 10/23/2019)
10/22/2019	<u>853</u>		ORDER denying <u>837</u> Motion to Enforce Judgment and <u>841</u> Motion to Deny the Settlement. These motions will be treated as Objections to the proposed settlement. Signed by Judge Thomas W. Thrash, Jr. on 10/22/2019. (EQCCtrk) (sap) (Entered: 10/23/2019)
10/24/2019			Clerk's Certificate of Mailing as to John Judkins, Susan Judkins re <u>851</u> Order. (EQCCtrk) (sap) (Entered: 10/24/2019)
10/24/2019			Clerk's Certificate of Mailing as to Lawrence M. Jacobson, Beth Moscato re <u>853</u> Order. (EQCCtrk) (sap) (Entered: 10/24/2019)



			10/24/2019)
10/24/2019	<u>855</u>		REPLY BRIEF re <u>805</u> MOTION for Reconsideration re <u>784</u> Order on Motion for Order filed by City Of Chicago. (Attachments: # <u>1</u> Exhibit 1 Declaration of Eve-Lynn J. Rapp)(EQACtrk)(Rapp, Eve-Lynn) (Entered: 10/24/2019)
10/24/2019			Submission of <u>805</u> MOTION for Reconsideration re <u>784</u> Order on Motion for Order to District Judge Thomas W. Thrash Jr. (EQCCtrk) (sap) (Entered: 10/24/2019)
10/24/2019	<u>856</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Subpoena to be issued to Mastercard International Incorporated</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 10/24/2019)
10/24/2019	<u>857</u>		NOTICE by ALL PLAINTIFFS of <i>Service of Subpoena to be issued to Mastercard Technologies, LLC</i> (EQACtrk)(Gibson, MaryBeth) (Entered: 10/24/2019)
10/29/2019	<u>858</u>		MOTION for Attorney Fees . <i>Expenses, and Service Awards to the Class Representatives</i> with Brief In Support by ALL PLAINTIFFS. (Attachments: # <u>1</u> Exhibit 1: Supplemental Declaration from Class Counsel, # <u>2</u> Exhibit 2: Declaration from Professor Robert Klonoff, # <u>3</u> Exhibit 3: Declaration from Harold T. Daniel, Jr.)(EQCCtrk)(Barnes, Roy) (Entered: 10/29/2019)
11/01/2019	<u>860</u>		CONDITIONAL TRANSFER ORDER CTO-53 from the Judicial Panel on Multidistrict Litigation. (Silva-Borero v. Equifax, Inc. from District of Hawaii, Our Case Number 1:19-cv-05073-TWT and Nemer v. Equifax, Inc. et al from Ohio Northern, Our Case Number 1:19-cv-05002-TWT) (EQCCtrk) (sap) (Entered: 11/05/2019)
11/04/2019	<u>859</u>		ORDER ALLOWING AUDIO/VISUAL EQUIPMENT IN THE COURTROOM on 12/19/2019 at 10:00 AM for David Perera, Mlex. Signed by Judge Thomas W. Thrash, Jr. on 10/31/2019. (EQACtrk) (sap) (Entered: 11/04/2019)
11/04/2019	<u>863</u>		Letter re Equifax Settlement from Anne Vaughan (EQCCtrk) (sap) (Entered: 11/05/2019)
11/04/2019	<u>867</u>		NOTICE Of Filing <i>Request for Exclusion</i> by Connie Guillen. (EQCCtrk) (sap) (Entered: 11/08/2019)
11/05/2019			Submission of <u>852</u> MOTION for Leave to Appear to District Judge Thomas W. Thrash Jr. (EQCCtrk) (sap) (Entered: 11/05/2019)
11/05/2019	<u>861</u>		CONDITIONAL TRANSFER ORDER CTO-54 from the Judicial Panel on Multidistrict Litigation. (Rochelle Anita Johnson v. Equifax, Inc. from California Central, Our Case Number 1:19-cv-05038-TWT and Gibson v. Equifax Information Services, LLC from Florida Southern, Our Case Number 1:19-cv-05026-TWT) (EQCCtrk) (sap) (Entered: 11/05/2019)

11/05/2019	<u>862</u>		NOTICE Of Filing Letter to Hon. Thomas W. Thrash, Jr. by League of Southeastern Credit Unions & Affiliates, Michigan Credit Union League, Gerber Federal Credit Union, Halliburton Employees Federal Credit Union, Peach State Federal Credit Union, Wright-Patt Credit Union, Putnam Bank, Oteen VA Federal Credit Union, Wisconsin Credit Union League, Ohio Credit Union League, Jonah Bank of Wyoming, MD/DC Credit Union Association, Heartland Credit Union Association, SeaComm Federal Credit Union, First Financial Credit Union, First Nebraska Credit Union, Fond du Lac Band of Lake Superior Chippewa, Forest Express Properties, LLC, Fort McClellan Credit Union, Numark Credit Union, Heritage Federal Credit Union, Independent Community Bankers of America, Indiana Credit Union League, Iowa Credit Union League, Gulf Winds Federal Credit Union, Texas First Bank, The Bank of New Hampshire, The First State Bank, The Summit Federal Credit Union, UMassFive College Federal Credit Union, University of Louisiana Federal Credit Union, University of Louisiana Federal Credit Union(individually and on behalf of a class of all similarly situated financial institutions,), Summit Credit Union, Suncoast Credit Union, Pennsylvania Credit Union Association, Peoples National Bank, State Employees Federal Credit Union, Firefly Credit Union, First Castle Federal Credit Union, First Choice Federal Credit Union, First Education Federal Credit Union, Nebraska Credit Union League, South Florida Federal Credit Union(on behalf of itself and all others similarly situated), South Florida Federal Credit Union, Southwest Louisiana Credit Union, Minnesota Credit Union Network, Greater Cincinnati Credit Union, Mississippi Credit Union League, Montana Credit Union League, ICUL Service Corporation, Illinois Credit Union League, Hudson River Community Credit Union, Ravalli County Federal Credit Union, Nevada Credit Union League, New York Credit Union Association, Services Credit Union, Seven Seventeen Credit Union, Sky Federal Credit Union, Superior Services Investment Group, LLC, Mountain West Credit Union Association, SELCO Community Credit Union, Washington Gas Light Federal Credit Union, Virginia Credit Union League (EQFItrk)(Partin, Ranse) (Entered: 11/05/2019)
11/05/2019	<u>864</u>		NOTICE OF HEARING: A Status Conference is SCHEDULED for 11/26/2019 at 10:30 AM in ATLA Courtroom 2108 before Judge Thomas W. Thrash Jr. (Associated Cases: 1:17-md-02800-TWT, 1:17-cv-03463-TWT, 1:18-cv-00317-TWT) (EQFItrk) (sap) (Entered: 11/06/2019)
11/06/2019	<u>865</u>		ORDER ADMINISTRATIVELY CLOSING the individual civil action 1:19-cv-3682-TWT. Signed by Judge Thomas W. Thrash, Jr. on 11/6/2019. (EQCCtrk) (sap) (Entered: 11/06/2019)

			11/06/2019)
11/06/2019	<u>866</u>		ORDER REINSTATING STAY OF CONDITIONAL TRANSFER ORDER 54 (Johnson) from the Judicial Panel on Multidistrict Litigation. (EQCctrk) (sap) (Entered: 11/07/2019)
11/12/2019	<u>868</u>		ORDER ALLOWING AUDIO/VISUAL EQUIPMENT IN THE COURTROOM on 11/26/2019 at 10:30 AM. Signed by Judge Thomas W. Thrash, Jr. on 11/7/2019. (EQFitrk) (sap) (Entered: 11/12/2019)
11/12/2019	<u>871</u>		ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER 52 from the Judicial Panel on Multidistrict Litigation. (Allmendinger v. Equifax Information Services LLC; Tertanni v Equifax Information Services LLC; Miles v. Equifax Information Services LLC; Schorr v. Equifax Information Services LLC; Walker v. Equifax Information Services LLC; Whittum v. Equifax Information Services LLC; and Winters v. Equifax Information Services LLC from the District of Nevada) (EQCctrk) (sap) (Entered: 11/13/2019)
11/12/2019	<u>872</u>		MOTION to Strike [858-2] Declaration from Professor Robert Klonoff by Shiyang Huang. (EQCctrk) (sap) (Entered: 11/14/2019)
11/13/2019	<u>869</u>		NOTICE Of Filing Letter to Hon. Thomas W. Thrash, Jr. by ALL PLAINTIFFS re <u>862</u> Notice of Filing,,,,,, (EQFitrk)(Partin, Ranse) (Entered: 11/13/2019)
11/13/2019	<u>870</u>		ADMINISTRATIVELY CLOSING the individual civil action 1:19-cv-5002-TWT. Signed by Judge Thomas W. Thrash, Jr. on 11/13/2019. (EQCctrk) (sap) (Entered: 11/13/2019)
11/14/2019	<u>873</u>		ORDER denying <u>852</u> Motion to Telephonically Appear at Fairness Hearing. Signed by Judge Thomas W. Thrash, Jr. on 11/14/2019. (EQACctrk) (sap) (Entered: 11/15/2019)
11/14/2019	<u>877</u>		ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER 53 from the Judicial Panel on Multidistrict Litigation. (BagleyBurns v. Equifax Information Services LLC, Grove v. Equifax Information Services LLC, Benten v. Equifax Information Services LLC, Blumer v. Equifax Information Service, LLC, Pawlowski v. Equifax Information Services LLC, Campbell v. Equifax Information Services LLC, Collier v. Equifax Information Services LLC, Boddy v. Equifax Information Services LLC, Lewellyn v. Equifax Information Services LLC, and Lewellyn v. Equifax Information Services, LLC from the District of Nevada) (EQCctrk) (sap) (Entered: 11/19/2019)
11/14/2019	<u>878</u>		ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER 54 from the Judicial Panel on Multidistrict

			Litigation. (Imran v. Equifax Information Services LLC, Iqbal v. Equifax Information Services, LLC, Mahipus, Jr. v. Equifax Information Services, LLC, Mahipus v. Equifax Information Services LLC, Mosley v. Equifax Information Services LLC, Ostheimer v. Equifax Information Services, LLC, and Hernandez v. Equifax Information Services LLC from the District of Nevada) (EQCCtrk) (sap) (Entered: 11/19/2019)
11/15/2019			Clerk's Certificate of Mailing as to Shiyang Huang re <u>873</u> Order. (EQACtrk) (sap) (Entered: 11/15/2019)
11/18/2019	<u>874</u>		NOTICE by ALL PLAINTIFFS of Service of Amended Subpoena to be issued to Veracode, Inc. (EQACtrk)(Gibson, MaryBeth) (Entered: 11/18/2019)
11/19/2019	<u>875</u>		NOTICE of Appearance by Melissa Holyoak on behalf of Theodore H Frank, David R. Watkins (EQCCtrk)(Holyoak, Melissa) (Entered: 11/19/2019)
11/19/2019	<u>876</u>		OBJECTION re <u>858</u> MOTION for Attorney Fees . <i>Expenses, and Service Awards to the Class Representatives</i> by Theodore H Frank, David R. Watkins. (Attachments: # <u>1</u> Exhibit Declaration of Theodore H. Frank, # <u>2</u> Exhibit Declaration of David R. Watkins, # <u>3</u> Exhibit Declaration of Melissa A. Holyoak)(EQCCtrk)(Holyoak, Melissa) Filers corrected on 11/20/2019 (sap). (Entered: 11/19/2019)
11/19/2019	<u>879</u>		NOTICE of Appearance by John W Davis on behalf of John William Davis (Attachments: # <u>1</u> Exhibit 1)(EQCCtrk)(Davis, John) (Entered: 11/19/2019)
11/19/2019	<u>880</u>		OBJECTION re <u>858</u> MOTION for Attorney Fees . <i>Expenses, and Service Awards to the Class Representatives</i> by Mikell West. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit)(EQCCtrk)(Clare, Robert) (Entered: 11/19/2019)
11/19/2019	<u>881</u>		NOTICE of Appearance by Robert Clare on behalf of Mikell West (EQCCtrk)(Clare, Robert) (Entered: 11/19/2019)
11/20/2019	<u>882</u>		NOTICE of Appearance by Jerome Froelich, Jr on behalf of Mikell West (EQCCtrk)(Froelich, Jerome) (Entered: 11/20/2019)
11/20/2019	<u>883</u>		Letter re Equifax Settlement from Jeffrey Walton Associated Cases: 1:17-md-02800-TWT, 1:19-cv-03297-TWT(EQCCtrk)(anc) (Entered: 11/26/2019)
11/21/2019			Submission of <u>858</u> MOTION for Attorney Fees . <i>Expenses, and Service Awards to the Class Representatives</i> to District Judge Thomas W. Thrash Jr. (EQCCtrk)(sap) (Entered: 11/21/2019)
11/25/2019	<u>884</u>		

			Letter re Equifax Settlement from Troy Kenneth Scheffler (Attachments: # <u>1</u> Envelope) (EQCCtrk)(anc) (Entered: 11/26/2019)
11/25/2019	<u>888</u>		Letter re Equifax Settlement from Scott Anecito (Attachments: # <u>1</u> Envelope) (EQCCtrk)(anc) (Entered: 11/27/2019)
11/26/2019	<u>885</u>		TRANSCRIPT of a status conference hearing held on 11/26/2019, before Judge Thomas W. Thrash, Jr. Court Reporter/Transcriber Diane Peede, Diane_Peede@GAND.uscourts.gov. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 12/17/2019. Redacted Transcript Deadline set for 12/27/2019. Release of Transcript Restriction set for 2/24/2020. (Attachments: # <u>1</u> Appendix) (EQFitrk)(dcp) (Entered: 11/26/2019)
11/26/2019	<u>886</u>		Minute Entry for proceedings held before Judge Thomas W. Thrash, Jr.: Status Conference held on 11/26/2019. Counsel appeared for a status conference held at the Court's request. Mr. Guglielmo and Mr. Balser updated the Court on the status of discovery. Mr. Guglielmo, Mr. Balser, and Mr. Lynch discussed the pending motions, Docs. <u>791</u> , <u>792</u> , and <u>648</u> . The Court ORDERED Mr. Balser to file a supplemental brief containing his argument that the <u>791</u> Motion to Compel is moot by NOON a week from Friday, and Mr. Lynch was ordered to respond to Mr. Balser's brief by NOON the following Friday. Briefs are to be no longer than 10 pages each. The Court will make its ruling on the <u>698</u> Motion as quickly as possible, and apprised counsel of upcoming trials. The next status conference will be set sometime in March. (Court Reporter Diane Peede)(EQFitrk)(anc) (Entered: 11/26/2019)
11/26/2019	<u>887</u>		RESPONSE in Opposition re <u>872</u> MOTION to Strike <i>Klonoff Declaration</i> filed by ALL PLAINTIFFS. (EQCCtrk)(Barnes, Roy) (Entered: 11/26/2019)
12/02/2019	<u>889</u>		CONDITIONAL TRANSFER ORDER CTO-55 from the Judicial Panel on Multidistrict Litigation. (EQCCtrk)(anc) (Entered: 12/02/2019)
12/02/2019	<u>890</u>		MOTION to Strike <i>Declaration of Professor Klonoff</i> (Dkt. 858-2) with Brief In Support by Theodore H Frank, David R. Watkins. (Attachments: # <u>1</u> Brief)(EQCCtrk)(Holyoak, Melissa) (Entered: 12/02/2019)
12/02/2019	<u>891</u>		Unopposed MOTION for Leave to File Excess Pages by ALL PLAINTIFFS. (Attachments: # <u>1</u> Text of Proposed Order)(EQCCtrk)(Barnes, Roy) (Entered: 12/02/2019)
12/02/2019	<u>893</u>		

			Letter (Reply) re <u>887</u> RESPONSE in Opposition to <u>872</u> MOTION to Strike Klonoff Declaration from Shiyang Huang (Attachments: # <u>1</u> Envelope) (EQCctrk)(anc) Modified on 12/4/2019 in order to add document link (anc). (Entered: 12/04/2019)
12/03/2019	<u>892</u>		ORDER GRANTING <u>891</u> Unopposed Motion for Leave to File Excess Pages. The Consumer Plaintiffs may file a memorandum of law responding to Settlement Class Members objections not to exceed 50 pages. Class Counsel may file a reply memorandum in support of their motion for attorney's fees, costs, expenses, and service awards not to exceed 25 pages. Signed by Judge Thomas W. Thrash, Jr. on 12/3/2019. (EQCctrk)(cmd) (Entered: 12/03/2019)
12/04/2019	<u>894</u>		ORDER that in accordance with Case Management Order No. 2 <u>87</u> filed January 10, 2018, the Clerk is DIRECTED to ADMINISTRATIVELY CLOSE the 1:17-cv-4523-TWT individual pro se civil action related to this MDL action. Signed by Judge Thomas W. Thrash, Jr. on 12/4/2019. (EQCctrk)(anc) (Entered: 12/04/2019)
12/05/2019	<u>895</u>		NOTICE Of Filing Letter to the Court by Mikell West re <u>880</u> Objection, (EQCctrk)(Clare, Robert) (Entered: 12/05/2019)
12/05/2019	<u>897</u>		Amicus Curiae APPEARANCE entered by Douglas Scott Swetnam on behalf of State of Indiana as Amicus Curiae. (EQCctrk)(Swetnam, Douglas) (Entered: 12/05/2019)
12/05/2019	<u>898</u>		Amicus Brief in Opposition to the Proposed Settlement by State of Indiana as Amicus Curiae (Attachments: # <u>1</u> Exhibit Brief of States in In Re: Centurylink Sales Practices and Securities Litigation, # <u>2</u> Exhibit Equifax 8-K filed July 22, 2019)(EQCctrk)(Swetnam, Douglas) Modified on 12/9/2019 to edit text (rlb). (Entered: 12/05/2019)
12/05/2019	<u>899</u>		NOTICE Of Filing Declaration of Jennifer Keough Enclosing Objections and Opt-Outs Received by ALL PLAINTIFFS (Attachments: # <u>1</u> Declaration of Jennifer Keough, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B-1, # <u>4</u> Exhibit B-2, # <u>5</u> Exhibit B-3, # <u>6</u> Exhibit B-4, # <u>7</u> Exhibit B-5, # <u>8</u> Exhibit B-6, # <u>9</u> Exhibit B-7, # <u>10</u> Exhibit B-8, # <u>11</u> Exhibit B-9, # <u>12</u> Exhibit B-10, # <u>13</u> Exhibit B-11, # <u>14</u> Exhibit B-12, # <u>15</u> Exhibit B-13, # <u>16</u> Exhibit B-14, # <u>17</u> Exhibit B-15, # <u>18</u> Exhibit B-16, # <u>19</u> Exhibit B-17, # <u>20</u> Exhibit B-18, # <u>21</u> Exhibit B-19, # <u>22</u> Exhibit B-20, # <u>23</u> Exhibit B-21, # <u>24</u> Exhibit B-22, # <u>25</u> Exhibit B-23, # <u>26</u> Exhibit B-24, # <u>27</u> Exhibit B-25, # <u>28</u> Exhibit B-26, # <u>29</u> Exhibit B-27, # <u>30</u> Exhibit B-28, # <u>31</u> Exhibit B-29, # <u>32</u> Exhibit B-30, # <u>33</u> Exhibit B-31, # <u>34</u> Exhibit B-32, # <u>35</u> Exhibit B-33, # <u>36</u> Exhibit B-34, # <u>37</u> Exhibit B-35, # <u>38</u> Exhibit B-36, # <u>39</u> Exhibit C)(EQCctrk)(Keller, Amy) (Entered: 12/05/2019)



12/05/2019	<u>900</u>		Appendix to Plaintiffs' <u>903</u> Motion for Final Approval, Plaintiffs' Reply Brief in Support of <u>858</u> Motion for Attorneys' Fees and Plaintiffs' Response to Objections to Settlement by ALL PLAINTIFFS (Attachments: # <u>1</u> Appendix 1: Supplemental Declaration of Class Counsel, # <u>2</u> Appendix 2: Supplemental Declaration of Robert Klonoff, # <u>3</u> Appendix 3: Declaration of Geoffrey Miller, # <u>4</u> Appendix 4: Supplemental Declaration of Jennifer Keough, # <u>5</u> Appendix 5: Supplemental Declaration of Jim Messina, # <u>6</u> Appendix 6: Declaration of Experian)(EQCctrk)(Barnes, Roy) Modified on 12/9/2019 to add links (rlb). (Entered: 12/05/2019)
12/05/2019	<u>901</u>		REPLY BRIEF re <u>858</u> MOTION for Attorney Fees . <i>Expenses, and Service Awards to the Class Representatives</i> filed by ALL PLAINTIFFS. (EQCctrk)(Barnes, Roy) (Entered: 12/05/2019)
12/05/2019	<u>902</u>		RESPONSE re <u>899</u> Notice of Filing,,, <i>Plaintiffs' Response to Objections to the Settlement</i> filed by ALL PLAINTIFFS. (EQCctrk)(Barnes, Roy) (Entered: 12/05/2019)
12/05/2019	<u>903</u>		MOTION for Final Approval of Proposed Settlement by ALL PLAINTIFFS. (EQCctrk)(Barnes, Roy) Modified on 12/13/2019 in order to update docket text(anc). (Entered: 12/05/2019)
12/05/2019	<u>913</u>		Objection to the Equifax Settlement from Christopher Andrews (Attachments: # <u>1</u> Supplement to Objection, # <u>2</u> Letter with Exhibits, # <u>3</u> Envelope) (EQCctrk)(anc) (Entered: 12/10/2019)
12/05/2019	<u>914</u>		MOTION to Seal Objector's Home Address by Christopher Andrews. (EQCctrk)(anc) (Entered: 12/10/2019)
12/05/2019	<u>915</u>		<b>PROVISIONALLY SEALED</b> Sealed Document by Christopher Andrews (EQCctrk)(anc) (anc). (Entered: 12/10/2019)
12/06/2019	<u>904</u>		NOTICE Of Filing Letter Brief by Equifax, Inc. (EQACtrk)(Sumner, Phyllis) (Entered: 12/06/2019)
12/06/2019	<u>905</u>		ORDER re <u>899</u> Notice of Filing: Plaintiffs' Class Counsel shall provide a modified version of Exhibit A to the Declaration to the Court in chambers by NOON on 12/12/2019. Signed by Judge Thomas W. Thrash, Jr. on 12/6/2019. (EQCctrk)(cmd) (Entered: 12/06/2019)
12/06/2019	<u>906</u>		Amicus Curiae APPEARANCE entered by Corinne Gilchrist on behalf of State of Indiana as Amicus Curiae. (EQCctrk)(Gilchrist, Corinne) (Entered: 12/06/2019)
12/06/2019	<u>907</u>		Objection to Plaintiff's <u>903</u> Request for Attorneys' Fees and Service Awards filed by John William Davis. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(EQCctrk)(Davis, John)

			Modified on 12/9/2019 to edit text (rlb). (Entered: 12/06/2019)
12/06/2019	<u>912</u>		Letter re Equifax Settlement from Mike Barry (Attachments: # <u>1</u> Envelope) (EQCCtrk)(anc) (Entered: 12/10/2019)
12/06/2019	<u>916</u>		MOTION to Remove Class Counsel, the Steering Committee, and Legal Administration, the Named Plaintiffs and Defense Counsel filed by Christopher Andrews. (Attachments: # <u>1</u> Envelope)(EQCCtrk)(anc) Modified on 12/10/2019 (anc). (Entered: 12/10/2019)
12/09/2019	<u>908</u>		RESPONSE re <u>907</u> Response to Declaration of John W. Davis filed by ALL PLAINTIFFS. (EQCCtrk)(Barnes, Roy) Modified on 12/11/2019 in order to update docket text (anc). (Entered: 12/09/2019)
12/09/2019	<u>909</u>		MOTION to Strike <i>Declaration of Professor Klonoff</i> (Dkt. 900-2) with Brief In Support by David R. Watkins, Theodore H Frank. (Attachments: # <u>1</u> Brief)(EQCCtrk)(Holyoak, Melissa) (Entered: 12/09/2019)
12/09/2019	<u>910</u>		ORDER ADMINISTRATIVELY CLOSING the individual pro se civil action 1:19-cv-05224-TWT. Signed by Judge Thomas W. Thrash, Jr. on 12/9/19. (EQCCtrk)(bnp) (Entered: 12/10/2019)
12/09/2019	<u>917</u>		MOTION to Remove Class Counsel, the Steering Committee, and Legal Administration, the Named Plaintiffs and Defense Counsel for Misconduct filed by Christopher Andrews. (Attachments: # <u>1</u> Envelope)(EQCCtrk)(anc) Modified on 12/10/2019 (anc). (Entered: 12/10/2019)
12/09/2019	<u>918</u>		MOTION to Strike All Legal Expert Opinions filed by Shiyang Huang re <u>858</u> MOTION for Attorney Fees <i>Expenses, and Service Awards to the Class Representatives</i> , <u>900</u> Notice of Filing. (EQCCtrk)(anc) Modified on 12/11/2019 (anc). (Entered: 12/11/2019)
12/09/2019	<u>919</u>		Response to Objection Rebuttals <u>901</u> and <u>902</u> from Shiyang Huang (EQCCtrk)(anc) (Entered: 12/11/2019)
12/10/2019	<u>911</u>		CONDITIONAL TRANSFER ORDER CTO-56 from the Judicial Panel on Multidistrict Litigation. (EQCCtrk)(anc) (Additional attachment(s) added on 12/10/2019: # <u>1</u> Certified Copy of CTO 56) (anc). (Entered: 12/10/2019)
12/11/2019			Submission of <u>872</u> MOTION to Strike, to District Judge Thomas W. Thrash Jr.. (EQCCtrk)(anc) (Entered: 12/11/2019)
12/11/2019	<u>920</u>		ORDER ALLOWING AUDIO/VISUAL EQUIPMENT IN THE COURTROOM on 12/19/2019 at 10:00 a.m. <i>as to Norman E. Siegel, Amy Keller, and Kenneth Canfield</i> . Signed by Judge Thomas W. Thrash, Jr. on 12/11/2019. (EQCCtrk)(cmd) (Entered: 12/11/2019)



12/12/2019	<u>921</u>		Consent MOTION for Leave to File Excess Pages by Equifax, Inc., Equifax Consumer Services, LLC, Equifax Information Services LLC. (Attachments: # <u>1</u> Text of Proposed Order)(EQCCTrk)(Haskins, Sidney) (Entered: 12/12/2019)
12/12/2019	<u>922</u>		Amicus Curiae APPEARANCE entered by Jared Andrew Rinehimer on behalf of Commonwealth of Massachusetts. (EQCCTrk)(Rinehimer, Jared) (Entered: 12/12/2019)
12/12/2019	<u>923</u>		RESPONSE in Opposition re <u>903</u> MOTION for Final Approval of Proposed Settlement <i>Amicus Curiae</i> filed by Commonwealth of Massachusetts. (Attachments: # <u>1</u> Exhibit Exhibit 1 – Massachusetts Enforcement Action Complaint, # <u>2</u> Exhibit Exhibit 2 – State of Alabama Settlement)(EQCCTrk)(Rinehimer, Jared) Modified on 12/13/2019 in order to update docket text (anc). (Entered: 12/12/2019)
12/12/2019	<u>924</u>		Amicus Curiae APPEARANCE entered by Jared Andrew Rinehimer on behalf of Commonwealth of Massachusetts. (EQCCTrk)(Rinehimer, Jared) (Entered: 12/12/2019)
12/12/2019	<u>925</u>		ORDER GRANTING <u>921</u> Consent Motion for Enlargement of Page Limit. Equifax may file a brief in response to the <u>903</u> Motion for Final Approval of Proposed Settlement not to exceed 35 pages. Signed by Judge Thomas W. Thrash, Jr. on 12/12/2019. (EQCCTrk) (cmd) (Entered: 12/12/2019)
12/12/2019	<u>926</u>		NOTICE Of Filing of Declaration of Jennifer Keough Submitted in Accordance with <u>905</u> Order re <u>899</u> Notice by ALL PLAINTIFFS (Attachments: # <u>1</u> Declaration of Jennifer M. Keough Submitted in Accordance with the Courts December 6, 2019 Order Regarding <u>899</u> Notice of Filing)(EQCCTrk)(Keller, Amy) Modified on 12/13/2019 in order to update docket text (anc). (Entered: 12/12/2019)
12/13/2019	<u>927</u>		Amicus Curiae APPEARANCE entered by Sara Cable on behalf of Commonwealth of Massachusetts. (EQCCTrk)(Cable, Sara) (Entered: 12/13/2019)
12/13/2019	<u>928</u>		<b>PROVISIONALLY SEALED</b> NOTICE Of Filing Response Letter Brief by ALL PLAINTIFFS re <u>904</u> Notice of Filing (EQFItkr)(Lynch, Gary) Modified on 12/16/2019 (anc). (Entered: 12/13/2019)
12/13/2019	<u>929</u>		NOTICE by John William Davis <i>of Pendency of Related Action</i> (Attachments: # <u>1</u> Exhibit 1 – Motion to Quash)(EQCCTrk)(Davis, John) (Entered: 12/13/2019)
12/13/2019	<u>930</u>		NOTICE Of Filing Reply to Response to Objections by Mikell West (Attachments: # <u>1</u> Exhibit)(EQCCTrk)(Clare, Robert) (Entered: 12/13/2019)
12/16/2019	<u>931</u>		

			RESPONSE in Support re <u>903</u> MOTION for Settlement filed by Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc.. (Attachments: # <u>1</u> Exhibit 1 – Br. of Appellee, McConnell v. Ga. Dep't of Labor (Ga. Jan. 15, 2019), # <u>2</u> Exhibit 2 – Writ of Certiorari, Collins v. Athens Orthopedic Clinic, P.A. (Ga. Apr. 29, 2019)(EQCCtrk)(Haskins, Sidney) (Entered: 12/16/2019)
12/16/2019	<u>932</u>		RESPONSE in Opposition re <u>890</u> MOTION to Strike <i>Declaration of Professor Klonoff</i> (Dkt. 858–2), <u>909</u> MOTION to Strike <i>Declaration of Professor Klonoff</i> (Dkt. 900–2) filed by ALL PLAINTIFFS. (Attachments: # <u>1</u> Exhibit 1, Final Approval Order, Briseno, et al. v. Conagra Foods Inc., No. 11–cv–05379–CJC–AGR (C.D. Cal.), # <u>2</u> Exhibit 2, Order Denying Motion to Strike, In re Samsung Top–Load Washing Machine Marketing, Sales Practices and Products Liab. Litig., No. 17–ml–02792–D (W.D. Okla.))(EQCCtrk)(Keller, Amy) (Entered: 12/16/2019)
12/16/2019	<u>936</u>		MOTION to Strike <u>931</u> Response to <u>903</u> filed by Objector Christopher Andrews. (Attachments: # <u>1</u> Envelope)(EQCCtrk)(anc) Modified on 12/18/2019 in order to add text (anc). (Entered: 12/18/2019)
12/18/2019	<u>933</u>		MOTION Provisionally Seal <u>928</u> Notice of Filing with Brief In Support by ASI Federal Credit Union, Credit Union National Association, New York Credit Union Association, Texas First Bank, Consumers Cooperative Credit Union, Hudson River Community Credit Union, First Financial Credit Union, D.L. Evans Bank, Virginia Credit Union League, Peach State Federal Credit Union, Financial Health Federal Credit Union, Illinois Credit Union League, Independent Community Bankers of America, Indiana Credit Union League, The First State Bank, The Summit Federal Credit Union. (Attachments: # <u>1</u> Brief, # <u>2</u> Text of Proposed Order)(EQFitrk)(Lynch, Gary) Modified on 12/19/2019 in order to change motion type (anc). (Entered: 12/18/2019)
12/18/2019	<u>934</u>		TRANSFER ORDER from the Judicial Panel on Multidistrict Litigation. (EQCCtrk)(anc) (Entered: 12/18/2019)
12/18/2019	<u>935</u>		MOTION to Strike Equifax's <u>931</u> Response to <u>903</u> filed by Objector Christopher Andrews. (EQCCtrk)(aaq) (Entered: 12/18/2019)
12/18/2019	<u>937</u>		Response to State Amicus Curiae Briefs re <u>903</u> MOTION for Settlement filed by ALL PLAINTIFFS. (EQCCtrk)(Keller, Amy) Modified on 12/19/2019in order to update docket text (anc). (Entered: 12/18/2019)
12/18/2019	<u>938</u>		Response to the State of Indiana and the Commonwealth of Massachusetts' Amicus Curiae Briefs re <u>898</u> Amicus Brief, <u>923</u> Response in Opposition to Motion filed by Equifax

			Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc.. (EQCCtrk)(Haskins, Sidney) Modified on 12/19/2019 in order to update docket text (anc). (Entered: 12/18/2019)
12/18/2019	<u>939</u>		NOTICE Of Filing by ALL PLAINTIFFS (Attachments: # <u>1</u> Second Supplemental Declaration of Class Counsel, # <u>2</u> Exhibit A, Letter Order, Cole v. NIBCO, Inc., No. 13-7871 (D.N.J.), # <u>3</u> Exhibit B, Deposition Transcript of Mikell West, # <u>4</u> Exhibit C, Notice, In the Matter of Steven Franklyn Helfand, No. 17-O-00411 (State Bar Ct. Los Angeles), # <u>5</u> Exhibit D, Deposition Transcript of Steven Helfand, # <u>6</u> Exhibit E, Rough Deposition Transcript of George Cochran, # <u>7</u> Exhibit F, Transcript of Proceedings in Lieu of Deposition of Reuben Metcalfe, # <u>8</u> Exhibit G, Plaintiffs' Counsel Time Summary, # <u>9</u> Exhibit H, Plaintiffs Counsel Expense Summary, # <u>10</u> Exhibit I, Objector Deficiency Chart)(EQCCtrk)(Keller, Amy) (Entered: 12/18/2019)
12/18/2019	<u>941</u>		ORDER granting in part and denying in part <u>648</u> Plaintiffs' Motion for Leave to Amend the Financial Institutions' Consolidated Amended Complaint. Signed by Judge Thomas W. Thrash, Jr. on 12/18/2019. (EQFIttrk)(anc) (Entered: 12/19/2019)
12/19/2019	<u>940</u>		CONDITIONAL TRANSFER ORDER CTO-57 from the Judicial Panel on Multidistrict Litigation. (EQCCtrk)(anc) (Entered: 12/19/2019)
12/19/2019	<u>942</u>		RESPONSE in Opposition re <u>936</u> MOTION to Strike and <u>935</u> MOTION to Strike Response to <u>903</u> MOTION for Final Approval of Proposed Settlement filed by Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc.. (EQCCtrk)(Haskins, Sidney) Modified on 12/20/2019 in order to update docket text (anc). (Entered: 12/19/2019)
12/19/2019	<u>945</u>		Minute Entry for proceedings held before Judge Thomas W. Thrash, Jr.: Motion Hearing held on 12/19/2019 re <u>858</u> MOTION for Attorney Fees . <i>Expenses, and Service Awards to the Class Representatives</i> filed by ALL PLAINTIFFS, <u>903</u> MOTION for Settlement filed by ALL PLAINTIFFS is GRANTED. The parties appeared for the Final Settlement Approval Hearing. Mr. Canfield summarized the terms of the settlement agreement, discussed the objections to the settlement, and gave an overview of the requested fee award to Plaintiffs' Counsel. Mr. Balser addressed the Court regarding the settlement, including discussing the parallel negotiations with 48 states, Puerto Rico, D.C., and regulatory agencies. Mr. Balser noted the McConnell case as it related to risk for Plaintiffs' counsel, and disputed Indiana's and Massachusetts's standing to object to the settlement. Mr. Balser also requested the Court approve the settlement. Ms.

			Dennis stated that the CFPB did not object to the settlement. Ms. Gilchrist and Ms. Cable presented objections to the release language on behalf of Indiana and Massachusetts, respectively. The Court heard from Mr. Andrews, Ms. Holyoak, and Mr. Clore on objections to the settlement. The Court asked if anyone else wished to be heard on objections, and there was no answer. Mr. Siegel responded to the objections to the settlement. Ms. Keller briefly addressed the Court. Gov. Barnes gave closing remarks regarding the objections and settlement process. The Court GRANTED the <u>903</u> Motion for Final Approval of Proposed Settlement and <u>858</u> Motion for Attorneys' Fees, Expenses, and Service Awards to the Class Representatives for the reasons stated in the record, awarding Plaintiffs' Class Counsel \$77.5M in fees, \$1,404,855.35 in expenses, and service awards of \$2,500 class representatives. The Court directed Mr. Canfield to prepare a written order, to be approved by Mr. Balser, that summarizes the Court's findings. Mr. Canfield suggested submitting to the Court a proposed (1) consent order pertaining to the injunctive relief, (2) opinion containing the Court's ruling, and (3) final judgment, which the Court approved. All 3 documents to be submitted to the Court at the same time. (Court Reporter Diane Peede)(EQACtrk)(bdb) (Entered: 12/23/2019)
12/20/2019	<u>943</u>		TRANSCRIPT of the final settlement approval (consumer actions) hearing held on 12/19/2019, before Judge Thomas W. Thrash, Jr. Court Reporter/Transcriber Diane Peede, Diane_Peede@GAND.uscourts.gov. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 1/10/2020. Redacted Transcript Deadline set for 1/21/2020. Release of Transcript Restriction set for 3/19/2020. (Attachments: # <u>1</u> Appendix) (EQCCtrk)(dcp) (Entered: 12/20/2019)
12/20/2019	<u>944</u>		NOTICE Of Filing Response in Opposition to Motion for Judgment by Default by Equifax Information Services LLC re <u>940</u> MDL Conditional Transfer Order <i>for filing filed in OKW</i> (Attachments: # <u>1</u> Decl. of Jessica N. Spurlock, # <u>2</u> Exhibit A – Free Credit Report – Learn How to Get A Credit Report for Free _ Equifax)(EQCCtrk)(Griest, Robert) (Entered: 12/21/2019)
12/23/2019	<u>946</u>		RESPONSE in Opposition re <u>918</u> MOTION to Strike <u>858</u> MOTION for Attorney Fees . <i>Expenses, and Service Awards to the Class Representatives</i> , <u>900</u> Notice of Filing,, filed by ALL PLAINTIFFS. (EQCCtrk)(Barnes, Roy) (Entered: 12/23/2019)
12/23/2019	<u>947</u>		NOTICE of Appearance by Iman Boundaoui on behalf of City Of Chicago (EQACtrk)(Boundaoui, Iman) (Entered: 12/23/2019)

			12/23/2019)
12/23/2019	<u>948</u>		OPPOSITION to <u>931</u> Response in Support of <u>903</u> Motion for Final Approval, filed by Shiyang Huang. (EQCCtrk)(tmf) (Entered: 12/26/2019)
12/27/2019	<u>949</u>		MOTION to Strike Plaintiffs' Untimely Filings re <u>939</u> Notice of Filing filed by Shiyang Huang. (Attachments: # <u>1</u> Envelope)(EQCCtrk)(anc) (Entered: 12/30/2019)
12/27/2019	<u>950</u>		REPLY in Support re <u>918</u> MOTION to Strike <u>858</u> MOTION for Attorney Fees . <i>Expenses, and Service Awards to the Class Representatives</i> , <u>900</u> Notice of Filing filed by Shiyang Huang. (EQCCtrk)(anc) (Entered: 12/30/2019)
12/30/2019			Submission of <u>917</u> MOTION to Remove Class Counsel, the Steering Committee, and Legal Administration, the Named Plaintiffs and Defense Counsel for Misconduct, <u>918</u> MOTION to Strike <u>858</u> MOTION for Attorney Fees . <i>Expenses, and Service Awards to the Class Representatives</i> , <u>900</u> Notice of Filing,,, <u>909</u> MOTION to Strike <i>Declaration of Professor Klonoff (Dkt. 900-2)</i> , <u>916</u> MOTION to Remove Class Counsel, the Steering Committee, and Legal Administration, the Named Plaintiffs and Defense Counsel, <u>914</u> MOTION to Seal Document, <u>890</u> MOTION to Strike <i>Declaration of Professor Klonoff (Dkt. 858-2)</i> , to District Judge Thomas W. Thrash Jr.. (EQCCtrk)(anc) (Entered: 12/30/2019)
12/31/2019	<u>951</u>		ORDER denying <u>872</u> Motion to Strike. Signed by Judge Thomas W. Thrash, Jr. on 12/31/2019. (EQCCtrk)(anc) (Entered: 12/31/2019)
12/31/2019			Clerk's Certificate of Mailing as to Shiyang Huang re <u>951</u> Order (EQCCtrk)(anc) (Entered: 12/31/2019)
01/02/2020	<u>952</u>		CONDITIONAL TRANSFER ORDER CTO-58 from the Judicial Panel on Multidistrict Litigation. (EQCCtrk)(anc) (Entered: 01/02/2020)
01/02/2020	<u>953</u>		NOTICE by Graeme Payne of <i>Change of Address of Counsel</i> (EQCCtrk)(Cochran, Anthony) (Entered: 01/02/2020)
01/07/2020	<u>954</u>		CONDITIONAL TRANSFER ORDER CTO-59 from the Judicial Panel on Multidistrict Litigation. (EQCCtrk)(anc) (Entered: 01/07/2020)
01/07/2020	<u>955</u>		MOTION For Status/Scheduling Conference with Brief In Support by City Of Chicago. (Attachments: # <u>1</u> Certificate of Conference)(EQACtrk)(Rapp, Eve-Lynn) (Entered: 01/07/2020)
01/09/2020			Submission of <u>935</u> MOTION to Strike, <u>933</u> MOTION to Provisionally Seal, <u>936</u> MOTION to Strike, to District Judge Thomas W. Thrash Jr.. (EQCCtrk)(anc) (Entered: 01/09/2020)



01/13/2020	<u>956</u>		ORDER GRANTING FINAL APPROVAL OF SETTLEMENT, CERTIFYING SETTLEMENT CLASS, AND AWARDING ATTORNEY'S FEES, EXPENSES AND SERVICE AWARDS granting <u>858</u> Motion for Attorneys' Fees, Expenses, and Service Awards to the Class Representatives and <u>903</u> Motion for Final Approval of Proposed Settlement. Signed by Judge Thomas W. Thrash, Jr. on 1/13/2020. (EQCctrk) c:Financial Office(anc) (Entered: 01/13/2020)
01/13/2020	<u>957</u>		FINAL ORDER AND JUDGMENT Signed by Judge Thomas W. Thrash, Jr. on 1/13/2020. —Please refer to <a href="http://www.ca11.uscourts.gov">http://www.ca11.uscourts.gov</a> to obtain an appeals jurisdiction checklist—(EQCctrk) c:Financial Office(anc) (Entered: 01/13/2020)
01/13/2020	<u>958</u>		CONSENT ORDER re Business Practices Commitments Signed by Judge Thomas W. Thrash, Jr. on 1/13/2020. (EQCctrk)(anc) (Entered: 01/13/2020)
01/14/2020	<u>959</u>		Request for Leave of Absence for the following date(s): April 6–13, 2020, June 30–July 8, 2020, November 23–27, 2020, December 21, 2020 – January 4, 2021., by William Thomas Lacy, Jr. (EQACtrk)(Lacy, William) (Entered: 01/14/2020)
01/15/2020	<u>960</u>		Joint MOTION to Set A Schedule Regarding The Filing Of The Operative Financial Institutions Complaint by Equifax Information Services LLC, Equifax, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(EQFitrk)(Haskins, Sidney) (Entered: 01/15/2020)
01/15/2020	<u>961</u>		MOTION to Supplement <i>Record</i> with Brief In Support by David R. Watkins, Theodore H Frank. (Attachments: # <u>1</u> Brief)(EQCctrk)(Holyoak, Melissa) (Entered: 01/15/2020)
01/16/2020	<u>962</u>		ORDER granting <u>960</u> Motion to Set a Schedule Regarding the Filing of the Operative Financial Institutions Complaint. The Court directs the Financial Institution Plaintiffs to file an amended complaint in conformance with the Court's orders on the Motion to Dismiss and Motion to Amend on or before March 6, 2020, and that Defendants' response to that complaint be filed on or before April 10, 2020. Signed by Judge Thomas W. Thrash, Jr. on 1/16/2020. (EQFitrk)(anc) (Entered: 01/16/2020)
01/16/2020			Submission of <u>949</u> MOTION to Strike <u>939</u> Notice of Filing, to District Judge Thomas W. Thrash Jr.. (EQCctrk)(anc) (Entered: 01/16/2020)
01/17/2020	<u>963</u>		NOTICE by Mikell West re <u>961</u> MOTION to Supplement <i>Record (Notice of Joinder)</i> (EQCctrk)(Clore, Robert) (Entered: 01/17/2020)
01/17/2020	<u>964</u>		

			NOTICE by John William Davis re <u>961</u> MOTION to Supplement <i>Record</i> (Attachments: # <u>1</u> Exhibit 1 – Declaration of John W. Davis)(EQCCtrk)(Davis, John) (Entered: 01/17/2020)
01/17/2020	<u>965</u>		NOTICE OF APPEAL as to <u>956</u> Order on Motion for Attorney Fees, Order on Motion for Settlement, <u>957</u> Judgment and <u>951</u> Order on Motion to Strike by Shiyang Huang. Transcript Order Form due on 1/31/2020 (Attachments: # <u>1</u> Appeal Fee Letter) (IFP forms and appeal fee letter sent to Plaintiff) (pc: USCA)(EQCCtrk)(kac) (Entered: 01/21/2020)
01/21/2020	<u>966</u>		USCA Appeal Transmission Letter to 11th Circuit re: <u>965</u> Notice of Appeal filed by Shiyang Huang. (EQCCtrk)(kac) (Entered: 01/21/2020)
01/21/2020			Transmission of Certified Copy of Notice of Appeal, Final Order and Judgment, Order and Docket Sheet to US Court of Appeals re: <u>965</u> Notice of Appeal. (EQCCtrk)(kac) (Entered: 01/21/2020)
01/22/2020	<u>967</u>		Joint MOTION to Set Deadlines <u>409</u> Order by Equifax, Inc.. (Attachments: # <u>1</u> Text of Proposed Order)(EQACtrk)(Balser, David) (Entered: 01/22/2020)
01/23/2020	<u>968</u>		ORDER granting <u>967</u> Motion to Set Deadlines. Chicago shall file an amended complaint by February 19, 2020; Equifax shall file a motion to dismiss the amended complaint by March 20, 2020; Chicago shall file its response to Equifax's motion by April 10, 2020; and Equifax shall file its reply in support of its motion by April 24, 2020. Signed by Judge Thomas W. Thrash, Jr. on 1/23/2020. (EQACtrk)(anc) (Entered: 01/23/2020)
01/23/2020	<u>969</u>		MOTION to Amend <u>956</u> Granting Final Approval of Settlement with Brief In Support by Mikell West. (Attachments: # <u>1</u> Brief, # <u>2</u> Affidavit, # <u>3</u> Exhibit)(EQCCtrk)(Clore, Robert) Modified on 1/28/2020 in order to update docket text (anc). (Entered: 01/23/2020)
01/24/2020	<u>970</u>		ORDER ADMINISTRATIVELY CLOSING the individual civil actions linked to this multidistrict litigation, which are listed in Exhibit A to this order. Signed by Judge Thomas W. Thrash, Jr. on 1/24/2020. Associated Cases: 1:17-md-02800-TWT et al.(EQACtrk)(anc) (Entered: 01/24/2020)
01/27/2020	<u>971</u>		RESPONSE re <u>961</u> MOTION to Supplement <i>Record</i> filed by ALL PLAINTIFFS. (EQCCtrk)(Siegel, Norman) (Entered: 01/27/2020)
01/27/2020	<u>973</u>		TRANSCRIPT ORDER FORM re: <u>965</u> Notice of Appeal. Case Appealed to USCA – 11th Circuit. USCA Case Number 20–10249–F. Fed.R.App.P. 11 Certification due on

			2/10/2020.(EQCCKtrk)(kac) (Entered: 01/29/2020)
01/28/2020	<u>972</u>		USCA Acknowledgment of <u>965</u> Notice of Appeal filed by Shiyang Huang. Case Appealed to USCA – 11th Circuit. USCA Case Number 20–10249–F. (EQCCKtrk)(kac) (Entered: 01/28/2020)
01/29/2020	<u>974</u>		RESPONSE re <u>961</u> MOTION to Supplement <i>Record</i> filed by Equifax Consumer Services, LLC, Equifax Information Services LLC, Equifax, Inc.. (EQCCKtrk)(Balser, David) (Entered: 01/29/2020)
01/29/2020			Appeal Filing Fee Paid by Shiyang Huang: \$ 505, receipt number 119005 (EQCCKtrk)(anc) (Entered: 01/30/2020)
01/30/2020			Submission of <u>955</u> MOTION For Status/Scheduling Conference , to District Judge Thomas W. Thrash Jr.. (EQACtrk)(anc) (Entered: 01/30/2020)
01/31/2020	<u>975</u>		REPLY BRIEF re <u>961</u> MOTION to Supplement <i>Record</i> filed by David R. Watkins, Theodore H Frank. (EQCCKtrk)(Holyoak, Melissa) (Entered: 01/31/2020)
02/03/2020			Submission of <u>961</u> MOTION to Supplement <i>Record</i> , to District Judge Thomas W. Thrash Jr.. (EQCCKtrk)(anc) (Entered: 02/03/2020)
02/04/2020	<u>976</u>		RESPONSE re <u>969</u> MOTION to Amend <u>956</u> Order Granting Final Approval of Settlement filed by ALL PLAINTIFFS. (Attachments: # <u>1</u> Exhibit 1, Decision from Brown v. Wal–Mart Stores, Inc., # <u>2</u> Exhibit 2, Select Docket Entries from Cole v. NIBCO, Inc.)(EQCCKtrk)(Keller, Amy) (Entered: 02/04/2020)
02/10/2020	<u>977</u>		NOTICE OF APPEAL as to <u>956</u> Order on Motion for Attorney Fees,, Order on Motion for Settlement, <u>957</u> Judgment by David R. Watkins, Theodore H Frank. Filing fee \$ 505, receipt number AGANDC–9356687. Transcript Order Form due on 2/24/2020 (EQCCKtrk)(Holyoak, Melissa) (Entered: 02/10/2020)
02/10/2020	<u>978</u>		MOTION to Amend <u>956</u> Order on Motion for Attorney Fees,, Order on Motion for Settlement, with Brief In Support by John William Davis. (Attachments: # <u>1</u> Exhibit 1 – email correspondence)(EQCCKtrk)(Davis, John) (Entered: 02/10/2020)
02/10/2020	<u>985</u>		NOTICE OF APPEAL as to <u>956</u> Order on Motion for Attorney Fees, Order on Motion for Settlement, <u>957</u> Judgment by Christopher Andrews. Transcript Order Form due on 2/24/2020. (EQCCKtrk)(kac) (Entered: 02/13/2020)
02/10/2020	<u>986</u>		APPLICATION to Appeal in forma pauperis by Christopher Andrews. (EQCCKtrk)(kac) (Entered: 02/13/2020)
02/10/2020	<u>987</u>		



			MOTION to Seal by Christopher Andrews. (EQCctrk)(kac) (Additional attachment(s) added on 2/13/2020: # <u>1</u> Motion to Seal) (kac). (Entered: 02/13/2020)
02/10/2020	<u>989</u>		NOTICE OF APPEAL as to <u>956</u> Order on Motion for Attorney Fees, Order on Motion for Settlement, <u>957</u> Judgment by George W. Cochran. Transcript Order Form due on 2/24/2020 (Attachments: # <u>1</u> Appeal Fee Letter) (IFP forms, TOF and appeal fee letter sent to Objector) (pc: USCA)(EQCctrk)(kac) (Entered: 02/13/2020)
02/11/2020	<u>979</u>		<b>DOCUMENT FILED IN ERROR</b> —USCA Appeal Transmission Letter to 11th Circuit re: <u>977</u> Notice of Appeal filed by Theodore H Frank, David R. Watkins. (EQCctrk)(kac) (Entered: 02/11/2020)
02/11/2020	<u>980</u>		CORRECTED USCA Appeal Transmission Letter to 11th Circuit re: <u>977</u> Notice of Appeal filed by Theodore H Frank, David R. Watkins. (EQCctrk)(kac) (Entered: 02/11/2020)
02/11/2020	<u>981</u>		Transmission of Certified Copy of Notice of Appeal, Final Order and Judgment, Order and Docket Sheet to US Court of Appeals re: <u>977</u> Notice of Appeal. (EQCctrk)(kac) (Entered: 02/11/2020)
02/11/2020	<u>982</u>		NOTICE OF APPEAL as to <u>956</u> Order on Motion for Attorney Fees,, Order on Motion for Settlement, <u>957</u> Judgment by Mikell West. Filing fee \$ 505, receipt number AGANDC-9362322. Transcript Order Form due on 2/25/2020 (EQCctrk)(Clore, Robert) (Entered: 02/11/2020)
02/12/2020	<u>983</u>		USCA Appeal Transmission Letter to 11th Circuit re: <u>982</u> Notice of Appeal, filed by Mikell West. (EQCctrk)(kac) (Entered: 02/12/2020)
02/12/2020	<u>984</u>		Transmission of Certified Copy of Notice of Appeal, Final Order and Judgment, Order and Docket Sheet to US Court of Appeals re: <u>982</u> Notice of Appeal. (EQCctrk)(kac) (Entered: 02/12/2020)
02/13/2020			Submission of <u>987</u> MOTION to Seal, <u>986</u> APPLICATION to Appeal in forma pauperis to District Judge Thomas W. Thrash Jr. (EQCctrk)(kac) (Entered: 02/13/2020)
02/13/2020	<u>988</u>		USCA Appeal Transmission Letter to 11th Circuit re: <u>985</u> Notice of Appeal filed by Christopher Andrews. (EQCctrk)(kac) (Entered: 02/13/2020)
02/13/2020	<u>990</u>		USCA Appeal Transmission Letter to 11th Circuit re: <u>989</u> Notice of Appeal filed by George W. Cochran. (EQCctrk)(kac) (Entered: 02/13/2020)
02/13/2020	<u>991</u>		NOTICE OF APPEAL as to <u>956</u> Order on Motion for Attorney Fees, Order on Motion for Settlement, <u>957</u> Judgment by Alice-Marie Flowers. Transcript Order Form due on 2/27/2020 (Attachments: # <u>1</u> Appeal Fee Letter) (IFP

			forms, TOF and appeal fee letter sent to Objector) (pc: USCA)(EQCCTrk)(kac) (Entered: 02/14/2020)
02/14/2020	<u>992</u>		USCA Appeal Transmission Letter to 11th Circuit re: <u>991</u> Notice of Appeal filed by Alice-Marie Flowers. (EQCCTrk)(kac) (Entered: 02/14/2020)
02/14/2020	<u>993</u>		Transmission of Certified Copy of Notice of Appeal, Final Order and Judgment, Order and Docket Sheet to US Court of Appeals re: <u>991</u> Notice of Appeal. (EQCCTrk)(kac) (Entered: 02/14/2020)
02/14/2020	<u>994</u>		NOTICE of Voluntary Dismissal filed by UMassFive College Federal Credit Union (EQFItk)(Guglielmo, Joseph) (Entered: 02/14/2020)
02/18/2020	<u>995</u>		Joint MOTION for Extension of Time File Amended Complaint by City Of Chicago. (Attachments: # <u>1</u> Text of Proposed Order)(EQACTrk)(Rapp, Eve-Lynn) (Entered: 02/18/2020)
02/18/2020	<u>996</u>		REPLY to Response to Motion re <u>969</u> MOTION to Amend <u>956</u> Order Granting Final Approval of Settlement filed by Mikell West. (EQCCTrk)(Clore, Robert) (Entered: 02/18/2020)
02/19/2020			Submission of <u>969</u> MOTION to Amend <u>956</u> Order Granting Final Approval of Settlement, to District Judge Thomas W. Thrash Jr.. (EQCCTrk)(anc) (Entered: 02/19/2020)
02/19/2020	<u>997</u>		ORDER granting <u>995</u> Motion to Extend Deadlines. Chicago's deadline to file an amended complaint is extended to March 18, 2020; Equifax shall file a motion to dismiss the amended complaint by April 20, 2020; Chicago shall file its response to Equifax's motion by May 8, 2020; and Equifax shall file its reply in support of its motion by May 22, 2020. Signed by Judge Thomas W. Thrash, Jr. on 2/19/2020. (EQACTrk)(anc) (Entered: 02/19/2020)
02/24/2020	<u>998</u>		RESPONSE in Opposition re <u>986</u> APPLICATION to Appeal in forma pauperis filed by ALL PLAINTIFFS. (Attachments: # <u>1</u> Exhibit A)(EQCCTrk)(Keller, Amy) (Entered: 02/24/2020)
02/24/2020	<u>999</u>		RESPONSE in Opposition re <u>978</u> MOTION to Amend <u>956</u> Order on Motion for Attorney Fees., Order on Motion for Settlement, filed by ALL PLAINTIFFS. (EQCCTrk)(Keller, Amy) (Entered: 02/24/2020)
02/24/2020	<u>1000</u>		TRANSCRIPT ORDER FORM re: <u>985</u> Notice of Appeal. Fed.R.App.P. 11 Certification due on 3/9/2020. (All necessary transcript(s) on file.)(EQCCTrk)(kac) (Entered: 02/25/2020)
02/26/2020	<u>1001</u>		CERTIFICATE OF SERVICE re <u>998</u> Response in Opposition to Motion filed by ALL PLAINTIFFS <i>Amended</i>

			<i>Certificate of Service of Mailing to Christopher Andrews</i> (EQCctrk)(Barnes, Roy) (Entered: 02/26/2020)
02/27/2020	<u>1004</u>		USCA Acknowledgment of <u>977</u> Notice of Appeal filed by Theodore H. Frank and David R. Watkins. Case Appealed to USCA – 11th Circuit. USCA Case Number 20–10249–RR. (EQCctrk)(kac) Modified on 2/28/2020 to correct document relationship (kac). (Entered: 02/28/2020)
02/27/2020	<u>1005</u>		USCA Acknowledgment of <u>982</u> Notice of Appeal filed by Mikell West. Case Appealed to USCA – 11th Circuit. USCA Case Number 20–10249–RR. (EQCctrk)(kac) (Entered: 02/28/2020)
02/28/2020	<u>1002</u>		TRANSCRIPT ORDER FORM for proceedings held on December 19, 2019 before Judge Thomas W. Thrash, Jr., re <u>982</u> Notice of Appeal,. Court Reporter: Diane Peede. (EQCctrk)(Clare, Robert) (Entered: 02/28/2020)
02/28/2020	<u>1003</u>		Notification of Transcript Filed in District Court re <u>1002</u> Transcript Order Form filed by Mikell West. All transcripts for this request are now on file. (EQCctrk)(dcp) (Entered: 02/28/2020)
02/28/2020			Notification of Docket Correction re: <u>1004</u> USCA Acknowledgment. (EQCctrk)(kac) (Entered: 02/28/2020)
02/28/2020	<u>1006</u>		USCA Acknowledgment of <u>985</u> Notice of Appeal filed by Christopher Andrews. Case Appealed to USCA – 11th Circuit. USCA Case Number 20–10249–RR. (EQCctrk)(kac) (Entered: 02/28/2020)
02/28/2020			Set F.R.A.P. 11 Certification of the Record on Appeal due date deadline re: <u>1003</u> Notification of Transcript Filed in District Court. Fed.R.App.P. 11 Certification due on 3/13/2020 (EQCctrk)(kac) (Entered: 02/28/2020)
02/28/2020	<u>1007</u>		USCA Acknowledgment of <u>989</u> Notice of Appeal filed by George W. Cochran. Case Appealed to USCA – 11th Circuit. USCA Case Number 20–10249–RR. (EQCctrk)(kac) (Entered: 02/28/2020)
02/28/2020	<u>1008</u>		USCA Acknowledgment of <u>991</u> Notice of Appeal filed by Alice–Marie Flowers. Case Appealed to USCA – 11th Circuit. USCA Case Number 20–10249–RR. (EQCctrk)(kac) (Entered: 02/28/2020)
02/28/2020	<u>1009</u>		Joint MOTION to Stay <i>All Deadlines in Financial Institution Track</i> by ALL PLAINTIFFS. (Attachments: # <u>1</u> Text of Proposed Order)(EQFitrk)(Lynch, Gary) (Entered: 02/28/2020)
02/28/2020	<u>1013</u>		REPLY to Response to Motion re <u>986</u> APPLICATION to Appeal in forma pauperis filed by Christopher Andrews. (Attachments: # <u>1</u> Envelope)(EQCctrk)(anc) (Entered: 03/02/2020)

02/28/2020	<u>1015</u>		CORRECTED APPLICATION to Appeal in forma pauperis by Christopher Andrews. (EQCctrk)(kac) (Additional attachment(s) added on 3/2/2020: # <u>1</u> Application to Proceed IFP) (kac). (Entered: 03/02/2020)
03/01/2020	<u>1010</u>		TRANSCRIPT ORDER FORM re <u>977</u> Notice of Appeal,. (EQCctrk)(Holyoak, Melissa) (Entered: 03/01/2020)
03/02/2020			Set F.R.A.P. 11 Certification of the Record on Appeal due date deadline re: <u>1010</u> Transcript Order Form. Fed.R.App.P. 11 Certification due on 3/16/2020. (All necessary transcript(s) on file.)(EQCctrk)(kac) (Entered: 03/02/2020)
03/02/2020	<u>1011</u>		Court Reporter Acknowledgment re <u>1010</u> Transcript Order Form filed by Theodore H Frank, David R. Watkins. Case Appealed to Eleventh Circuit Case Number 20-10249-RR. Transcript is required. Court Reporter: Diane Peede. Satisfactory financial arrangements completed. Transcript due by 4/1/2020. (EQCctrk)(dcp) (Entered: 03/02/2020)
03/02/2020	<u>1012</u>		Notification of Transcript Filed in District Court re <u>1010</u> Transcript Order Form filed by Theodore H Frank, David R. Watkins. All transcripts for this request are now on file. (EQCctrk)(dcp) (Entered: 03/02/2020)
03/02/2020			Set F.R.A.P 11 Certification of Record on Appeal due date deadline re: <u>1012</u> Notification of Transcript Filed in District Court. Fed.R.App.P. 11 Certification due on 3/16/2020 re: <u>977</u> Notice of Appeal. (EQCctrk)(kac) (Entered: 03/02/2020)
03/02/2020			Submission of <u>986</u> APPLICATION to Appeal in forma pauperis, to District Judge Thomas W. Thrash Jr.. (EQCctrk)(anc) (Entered: 03/02/2020)
03/02/2020	<u>1014</u>		ORDER granting <u>1009</u> Motion to Stay deadlines set forth in the Court's scheduling order of January 16, 2020 <u>962</u> are hereby STAYED until further notice. Within 60 days of this Order, the Parties shall either file a motion for preliminary approval of their settlement agreement or a joint status report advising the Court of their progress. Signed by Judge Thomas W. Thrash, Jr. on 3/2/2020. (EQFitrk)(anc) (Entered: 03/02/2020)
03/02/2020			Submission of <u>1015</u> APPLICATION to Appeal in forma pauperis to District Judge Thomas W. Thrash Jr. (EQCctrk)(kac) (Entered: 03/02/2020)
03/02/2020	<u>1016</u>		MOTION to Strike <u>998</u> Response in Opposition to Motion to Appeal in Forma Pauperis filed by Christopher Andrews. (EQCctrk)(anc) Modified on 3/4/2020 in order to update filing party (anc). (Entered: 03/04/2020)
03/02/2020	<u>1017</u>		Letter re Claim from Kimberly J. Kohler (EQCctrk)(anc) (Entered: 03/04/2020)

03/08/2020	<u>1018</u>		REPLY to Response to Motion re <u>978</u> MOTION to Amend <u>956</u> Order on Motion for Attorney Fees,, Order on Motion for Settlement, filed by John William Davis. (EQCCtrk)(Davis, John) (Entered: 03/08/2020)
03/08/2020	<u>1019</u>		AFFIDAVIT in Support re <u>978</u> MOTION to Amend <u>956</u> Order on Motion for Attorney Fees,, Order on Motion for Settlement, filed by John William Davis. (Attachments: # <u>1</u> Exhibit 1 – Chieftain opinion, # <u>2</u> Exhibit 2 – Anthem transcript, # <u>3</u> Exhibit 3 – Faught excerpt, # <u>4</u> Exhibit 4 – Objection to Muransky R&R, # <u>5</u> Exhibit 5 – Muransky judgment, # <u>6</u> Exhibit 6 – email correspondence re proposed orders)(EQCCtrk)(Davis, John) (Entered: 03/08/2020)
03/09/2020	<u>1020</u>		MOTION to Withdraw Mark Lewis as Attorneyby Suzanne Meade. (Attachments: # <u>1</u> Text of Proposed Order)(EQACtrk)(Lewis, Mark) (Entered: 03/09/2020)
03/09/2020	<u>1021</u>		RESPONSE re <u>1017</u> Letter filed by ALL PLAINTIFFS. (EQCCtrk)(Keller, Amy) (Entered: 03/09/2020)
03/09/2020	<u>1022</u>		RESPONSE in Opposition re <u>1016</u> MOTION to Strike <u>998</u> Response in Opposition to Motion filed by ALL PLAINTIFFS. (EQCCtrk)(Keller, Amy) (Entered: 03/09/2020)
03/10/2020			Submission of <u>978</u> MOTION to Amend <u>956</u> Order on Motion for Attorney Fees, Order on Motion for Settlement, , to District Judge Thomas W. Thrash Jr. (EQCCtrk)(kt) (Entered: 03/10/2020)
03/13/2020	<u>1023</u>		MOTION to Take Judicial Notice of Misconduct and a Rule 11 Violation that Fatally Poisoned this Approval by Christopher Andrews. (EQCCtrk)(rjs) (Entered: 03/16/2020)
03/16/2020	<u>1025</u>		TRANSCRIPT ORDER FORM re: <u>989</u> Notice of Appeal. Case Appealed to USCA – 11th Circuit. USCA Case Number 20–10249–RR. Fed.R.App.P. 11 Certification due on 3/30/2020.(EQCCtrk)(kac) (Entered: 03/17/2020)
03/16/2020	<u>1030</u>		MOTION to Amend or MOTION to Alter <u>957</u> Judgment under Federal Rule of Civil Procedure 59(e) by Christopher Andrews. (EQCCtrk)(kt) (kt). (Entered: 03/18/2020)
03/17/2020			Pursuant to F.R.A.P.11(c), the Clerk certifies that the record is complete for purposes of this appeal re: <u>982</u> Notice of Appeal. Case Appealed to USCA – 11th Circuit. USCA Case Number 20–10249–RR. The entire record on appeal is available electronically. (EQCCtrk)(kac) (Entered: 03/17/2020)
03/17/2020			Pursuant to F.R.A.P.11(c), the Clerk certifies that the record is complete for purposes of this appeal re: <u>977</u> Notice of Appeal. Case Appealed to USCA – 11th Circuit. USCA Case Number 20–10249–RR. The entire record on appeal is

			available electronically. (EQCCKtrk)(kac) (Entered: 03/17/2020)
03/17/2020	<u>1024</u>		Joint MOTION for Extension of Time for Deadlines by City Of Chicago. (Attachments: # <u>1</u> Text of Proposed Order)(EQACtrk)(Rapp, Eve-Lynn) (Entered: 03/17/2020)
03/17/2020	<u>1026</u>		ORDER DENYING (978) Motion to Amend in case 1:17-md-02800-TWT. Signed by Judge Thomas W. Thrash, Jr. on 03/17/2020. (rvb) (Entered: 03/17/2020)
03/17/2020	<u>1027</u>		ORDER GRANTING (969) Motion to Amend Order Granting Final Approval of Settlement by Mikell Westin case 1:17-md-02800-TWT. An Amended Order will be filed. Signed by Judge Thomas W. Thrash, Jr. on 03/17/2020.(rvb) (Entered: 03/17/2020)
03/17/2020	<u>1029</u>		AMENDED ORDER GRANTING FINAL APPROVAL OF SETTLEMENT, CERTIFYING SETTLEMENT CLASS, AND AWARDING ATTORNEY'S FEES, EXPENSES AND SERVICE AWARDS. The <u>858</u> MOTION for Attorney Fees, Expenses, and Service Awards to the Class Representatives and <u>903</u> MOTION for Final Approval of Proposed Settlement are GRANTED. The Court overrules all objections to the settlement; denies the <u>898</u> <u>923</u> requests by the State of Indiana and Commonwealth of Massachusetts; denies the pending <u>890</u> <u>909</u> <u>918</u> motions to strike; and denies the pending <u>789</u> <u>916</u> <u>917</u> <u>935</u> <u>936</u> <u>949</u> miscellaneous motions. Any other motions and requests for specific relief asserted by objectors are also denied. Signed by Judge Thomas W. Thrash, Jr. on 3/17/2020. (EQCCKtrk) c:Financial Office(cmd) (Entered: 03/18/2020)
03/18/2020	<u>1028</u>		USCA Inquiry regarding status <u>1015</u> APPLICATION to Appeal in forma pauperis filed by Christopher Andrews. No ruling has been issued. Case Appealed to USCA – 11th Circuit. USCA Case Number 20–10249–RR. (EQCCKtrk)(kac) (Entered: 03/18/2020)
03/18/2020	<u>1031</u>		RESPONSE in Opposition re <u>1023</u> MOTION filed by ALL PLAINTIFFS. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(EQCCKtrk)(Keller, Amy) (Entered: 03/18/2020)
03/19/2020	<u>1032</u>		ORDER GRANTING <u>1024</u> Joint Motion to Extend Deadlines. Chicago's deadline to file an amended complaint is extended to 4/8/2020. Equifax's MTD amended complaint deadline is 5/11/2020; Chicago's response deadline is 5/29/2020; Equifax's reply deadline is 6/12/2020. Signed by Judge Thomas W. Thrash, Jr. on 3/19/2020. (EQCCKtrk)(cmd) (Entered: 03/19/2020)
03/20/2020			Appeal Fee Payment Received \$505.00; receipt number GAN100102390. (EQCCKtrk)(kac) (Entered: 03/20/2020)
03/20/2020	<u>1033</u>		



			General Order 20–01 re: COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID–19 AND RELATED CORONA VIRUS. Signed by Judge Thomas W. Thrash, Jr. on 3/16/20. (EQACtrk)(kt) (Entered: 03/23/2020)
03/23/2020	<u>1034</u>		NOTICE Of Filing Missing documents taken off the docket. (EQCCtrk)(kt) (Entered: 03/24/2020)
03/23/2020	<u>1035</u>		NOTICE Of Filing Letter to cancel filing that will arrive in another envelope. It was sent in error. (EQCCtrk)(kt) (Entered: 03/24/2020)
03/23/2020	<u>1036</u>		NOTICE Of Filing Correction and Supplement to Rule 59(e) Motion–A by Christopher Andrews. (EQCCtrk)(kt) (Entered: 03/24/2020)
03/24/2020			Pursuant to F.R.A.P.11(c), the Clerk certifies that the record is complete for purposes of this appeal re: <u>989</u> Notice of Appeal, <u>965</u> Notice of Appeal. Case Appealed to USCA – 11th Circuit. USCA Case Number 20–10249–RR. The entire record on appeal is available electronically. (EQCCtrk)(kac) (Entered: 03/24/2020)
03/24/2020			Clerk's Certificate of Mailing as to George W. Cochran re: Appeal Record Certified. (EQCCtrk)(kac) (Entered: 03/24/2020)
03/24/2020			Submission of <u>1016</u> MOTION to Strike <u>998</u> Response in Opposition to Motion, to District Judge Thomas W. Thrash Jr. (EQACtrk)(kt) (Entered: 03/24/2020)
03/26/2020	<u>1037</u>		RESPONSE in Opposition re <u>1030</u> MOTION to AmendMOTION to Alter <u>957</u> Judgment <i>Response to Filings by Objector Christopher Andrews (Docs. 1030, 1034, 1035, 1036)</i> filed by ALL PLAINTIFFS. (Attachments: # <u>1</u> Exhibit A)(EQCCtrk)(Keller, Amy) (Entered: 03/26/2020)
03/30/2020			Submission of <u>1020</u> MOTION to Withdraw Mark Lewis as Attorney, to District Judge Thomas W. Thrash Jr. (EQACtrk)(kt) (Entered: 03/30/2020)
03/30/2020	<u>1038</u>		ORDER granting <u>798</u> Motion to Withdraw as Attorney Jason S. Kanterman as counsel of record for Plaintiffs Mark Isacoff, Robert Kohn, and Susan Kohn. Attorney JASON SCOTT KANTERMAN terminated. Signed by Judge Thomas W. Thrash, Jr. on 3/30/20. (EQACtrk)(kt) (Entered: 03/30/2020)
03/30/2020	<u>1039</u>		ORDER granting <u>1020</u> Motion to Withdraw as Attorney Jeremiah Heck, Brian Garvine, Mark Lewis and Robert Wagoner, and it appearing that the motion is filed in good faith and no prejudice will accrue to the parties if such motion is granted, and good cause having been shown, these attorneys are terminated. Signed by Judge Thomas W.

			Thrash, Jr. on 3/30/20. (EQACtrk)(kt) (Entered: 03/30/2020)
03/30/2020	<u>1040</u>		MOTION for Bond Pending Appeal with Brief In Support by ALL PLAINTIFFS. (Attachments: # <u>1</u> Brief, # <u>2</u> Text of Proposed Order)(EQCCtrk)(Siegel, Norman) (Entered: 03/30/2020)
03/30/2020	<u>1041</u>		NOTICE OF APPEAL as to <u>956</u> Order on Motion for Attorney Fees,, Order on Motion for Settlement, <u>1029</u> Order on Motion for Order,,,, Order on Motion to Strike,,,,,, Order on Motion for Miscellaneous Relief,,,,,, <u>957</u> Judgment by David R. Watkins, Theodore H Frank. Transcript Order Form due on 4/13/2020 (EQCCtrk)(Holyoak, Melissa) (Entered: 03/30/2020)
03/31/2020	<u>1042</u>		USCA Appeal Transmission Letter to 11th Circuit re: <u>1041</u> Notice of Appeal filed by Theodore H Frank, David R. Watkins. (EQCCtrk)(kac) (Entered: 03/31/2020)
03/31/2020	<u>1043</u>		Transmission of Certified Copy of Amended Notice of Appeal, Final Order and Judgment, Order, Amended Order and Docket Sheet to US Court of Appeals re: <u>1041</u> Amended Notice of Appeal. (EQCCtrk)(kac) (Entered: 03/31/2020)
03/31/2020	<u>1044</u>		NOTICE OF APPEAL as to <u>956</u> Order on Motion for Attorney Fees,, Order on Motion for Settlement, <u>1029</u> Order on Motion for Order,,,, Order on Motion to Strike,,,,,, Order on Motion for Miscellaneous Relief,,,,,, <u>957</u> Judgment by Mikell West. Filing fee \$ 505, receipt number AGANDC-9541354. Transcript Order Form due on 4/14/2020 (EQCCtrk)(Clore, Robert) (Entered: 03/31/2020)
04/01/2020			Submission of <u>1023</u> MOTION to take Judicial Notice of Misconduct, to District Judge Thomas W. Thrash Jr. (EQACtrk)(kt) (Entered: 04/01/2020)
04/01/2020	<u>1045</u>		USCA Appeal Transmission Letter to 11th Circuit re: <u>1044</u> Notice of Appeal filed by Mikell West. (EQCCtrk)(kac) (Entered: 04/01/2020)



**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

In re: Equifax Inc. Customer  
Data Security Breach Litigation

MDL Docket No. 2800  
No. 1:17-md-2800-TWT

CONSUMER ACTIONS

Chief Judge Thomas W. Thrash, Jr.

**ORDER GRANTING FINAL APPROVAL OF SETTLEMENT,  
CERTIFYING SETTLEMENT CLASS, AND AWARDING ATTORNEY'S  
FEES, EXPENSES AND SERVICE AWARDS**

Consumer Plaintiffs and Defendants Equifax Inc., Equifax Information Services, LLC, and Equifax Consumer Services LLC (collectively, “Equifax”), reached a proposed class action settlement resolving claims arising from the data breach Equifax Inc. announced on September 7, 2017. On July 22, 2019, this Court directed that notice issue to the settlement class. [[Doc. 742](#)]. This matter is now before the Court on the Consumer Plaintiffs’ Motion for Final Approval of Proposed Settlement [[Doc. 903](#)] and Motion for Attorneys’ Fees, Expenses, and Service Awards to the Class Representatives. [[Doc. 858](#)]. For the reasons set forth below and on the record of the hearing of December 19, 2019, the Court grants both motions, issues its ruling on the pending objections and motions from various objectors that have been filed, and will separately enter a Consent Order relating to the business practice changes to which Equifax has agreed and a Final Order and Judgment.

## I. INTRODUCTION.

### A. Factual Background and Procedural History.

On September 7, 2017, Equifax Inc. announced a data breach that it determined had impacted the personal information of about 147 million Americans. More than 300 class actions filed against Equifax were consolidated and transferred to this Court, which established separate tracks for the consumer and financial institution claims and appointed separate legal teams to lead each track.

In the consumer track, on May 14, 2018, plaintiffs filed a 559-page consolidated complaint, which named 96 class representatives and asserted common law and statutory claims under both state and federal law. [[Doc. 374](#)]. The complaint alleged claims including negligence, negligence per se, unjust enrichment, declaratory judgment, breach of contract (for those individuals who had provided personal information to Equifax subject to its privacy policy), and violation of the Fair Credit Reporting Act (“FCRA”), the Georgia Fair Business Practices Act (“GFBPA”), and various state consumer laws and state data breach statutes.

Equifax moved to dismiss the complaint in its entirety, arguing *inter alia* that Georgia law does not impose a legal duty to safeguard personal information, plaintiffs’ alleged injuries were not legally cognizable, and no one could plausibly prove that their injuries were caused by this data breach as opposed to another

breach. The parties exhaustively briefed the motion during the summer and early fall of 2018.

After the benefit of oral argument on December 14, 2018, the Court issued an order on January 28, 2019, granting in part and denying in part the motion to dismiss. [Doc. 540]. The Court allowed the negligence and negligence per se claims to proceed under Georgia law, finding among other things that the plaintiffs alleged actual injuries sufficient to support a claim for relief (*id.* at 15-21). The Court dismissed the FCRA claim, the GFBPA claim, the contract claims, and the unjust enrichment claims of those plaintiffs who had no contract with Equifax. The Court dismissed some state statutory claims, but allowed many others to proceed. Following the Court's order on dismissal, Equifax answered on February 25, 2019 [Doc. 571]. Before and after Equifax filed its answer, the parties engaged in significant discovery efforts and raised numerous discovery-related disputes with the Court in late 2018.

On April 2, 2019, after more than 18 months of negotiations, the parties informed the Court they had reached a binding settlement that was reflected in a term sheet dated March 30, 2019, and that had been approved the following day by Equifax's board of directors. After consulting and negotiating with federal and state regulators regarding revisions to the term sheet, the parties entered into the final settlement agreement on July 19, 2019, and presented the final settlement agreement

to the Court on July 22, 2019. (App. 1, ¶¶ 17-24).<sup>1</sup> After a hearing on July 22, 2019, the Court entered an order directing notice of the proposed settlement (“Order Directing Notice”) [[Doc. 742](#)]. In the Order Directing Notice, the Court found that it would likely approve the settlement as fair, reasonable, and adequate, and certify the settlement class.

## **B. Terms of the Settlement.**

The following are the material terms of the settlement:

### **1. The Settlement Class.**

The settlement class is defined as follows:

The approximately 147 million U.S. consumers identified by Equifax whose personal information was compromised as a result of the cyberattack and data breach announced by Equifax Inc. on September 7, 2017.

Excluded are (i) Equifax, any entity in which Equifax has a controlling interest, and Equifax’s officers, directors, legal representatives, successors, subsidiaries, and assigns; (ii) any judge, justice, or judicial officer presiding over this matter and the members of their immediate families and judicial staff; and (iii) any individual who timely and validly opts out of the settlement class. [Settlement Agreement, [Doc. 739-2](#), ¶ 2.43].

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<sup>1</sup> References in this Order to “App.” refer to the declarations comprising the Appendix [[Doc. 900](#)] accompanying the pending motions.

## 2. The Settlement Fund.

Equifax will pay \$380,500,000 into a fund for class benefits, attorneys' fees, expenses, service awards, and notice and administration costs; up to an additional \$125,000,000 if needed to satisfy claims for certain out-of-pocket losses; and potentially \$2 billion more if all 147 million class members sign up for credit monitoring. [[Doc. 739-2](#), ¶ 7.8; [Doc. 739-4](#), ¶ 37]. No settlement funds will revert to Equifax. [[Doc. 739-2](#), ¶ 5.5]. The specific benefits available to class members include:

- Reimbursement of up to \$20,000 for documented, out-of-pocket losses fairly traceable to the breach, such as the cost of freezing or unfreezing a credit file; buying credit monitoring services; out-of-pocket losses from identity theft or fraud, including professional fees and other remedial expenses; and 25 percent of any money paid to Equifax for credit monitoring or identity theft protection subscription products in the year before the breach. If the \$380.5 million fund proves to be insufficient, Equifax will add another \$125 million to pay claims for out-of-pocket losses.
- Compensation of up to 20 hours at \$25 per hour (subject to a \$38 million cap) for time spent taking preventative measures or dealing with identity theft. Ten hours can be self-certified, requiring no documentation.
- Four years of specially negotiated, three-bureau credit monitoring and identity protection services through Experian and an additional six years of one-bureau credit monitoring and identity protection services through Equifax. The Experian monitoring has a comparable retail value of \$24.99 per month and has a number of features that are typically not available in "free" credit monitoring services offered to the public. ([App. 6](#), ¶¶ 33-43). The one-bureau credit monitoring shall be provided separately by Equifax and not paid for from the settlement fund.

- Alternative cash compensation (subject to a \$31 million cap) for class members who already have credit monitoring or protection services in place and who choose not to enroll in the enhanced credit monitoring and identity protection services offered in the settlement.
- Identity restoration services through Experian to help class members who believe they may have been victims of identity theft for seven years, including access to a U.S. based call center, assignment of a certified identity theft restoration specialist, and step by step assistance in dealing with credit bureaus, companies and government agencies.

Class members have six months to claim benefits (through January 22, 2020), but need not file a claim to access identity restoration services. (*Id.*, ¶¶ 7.2 and 8.1.1). If money remains in the fund after the initial claims period, there will be a four-year extended claims period during which class members may recover for certain out-of-pocket losses and time spent rectifying identity theft that occurs after the end of the initial claims period. (*Id.*, ¶ 8.1.2). If money remains in the fund after the extended claims period, it will be used as follows: (a) the caps for time and alternative compensation will be lifted and payments will be increased *pro rata* up to the full amount of the approved claims; (b) up to three years of additional identity restoration services will be purchased; and (c) the Experian credit monitoring services claimed by class members will be extended. (*Id.*, ¶ 5.4). Equifax will not receive any monetary or other financial consideration for any of the benefits provided by the settlement. (*Id.*, ¶ 7.3).

### 3. **Injunctive Relief.**

Equifax has agreed to entry of a consent order requiring the company to spend a minimum of \$1 billion for data security and related technology over five years and to comply with comprehensive data security requirements. Equifax's compliance will be audited by an experienced, independent assessor and subject to this Court's enforcement powers. [*See generally* [Doc. 739-2, pp. 76-84](#); [Doc. 739-4, ¶ 44](#)].

According to cybersecurity expert Mary Frantz:

[I]mplementation of the proposed business practice changes should substantially reduce the likelihood that Equifax will suffer another data breach in the future. These changes address serious deficiencies in Equifax's information security environment. Had they been in place on or before 2017 per industry standards, it is unlikely the Equifax data breach would ever have been successful. These measures provide a substantial benefit to the Class Members that far exceeds what has been achieved in any similar settlements.

[739-7, ¶ 66]. Equifax's binding financial commitment to spend \$1 billion on data security and related technology substantially benefits the class because it ensures adequate funding for securing plaintiffs' information long after the case is resolved. (*See id.*, ¶ 56).

### 4. **Notice And Claims Program.**

The notice plan [*see* [Doc. 739-2, p. 125](#)], was developed by class counsel and the Court-appointed notice provider (Signal Interactive Media), with input from the claims administrator (JND Legal Administration) and the regulators. (App. 1, ¶ 25). The notice plan is not designed merely to satisfy minimal constitutional

requirements, but an innovative and comprehensive program that takes advantage of contemporary commercial and political advertising techniques—such as focus groups, a public opinion survey, and micro-targeting—to inform, reach, and engage the class and motivate class members to file claims. According to the plaintiffs and Signal, the notice program is a first-of-its kind effort and is unprecedented in scope and impact. The Court finds that the notice program is a significant benefit to the class.

The notice program consists of: (1) multiple emails sent to those whose email addresses can be found with reasonable effort; (2) a digital and social media campaign using messaging continually tested and targeted for effectiveness; (3) a full-page ad in *USA Today* using plain text designed with input from experts on consumer communications at the Federal Trade Commission as well as a national radio advertising campaign to reach those who have limited online presence; (4) a settlement website on which the long-form notice and other important documents, including various pleadings and other filings from the litigation, are posted; and (5) the ability for class members to ask questions about the settlement via email and a toll-free number staffed with live operators. (App. 4, ¶¶ 43-57, 85-90; App. 5, ¶¶ 22-30). Signal will continue digital advertising during the extended claims period and until identity restoration services are no longer available, a period that will last for seven years. [[Doc. 739-2, pp. 127, 138](#)].



JND transmitted the initial email notice to 104,815,404 million class members beginning on August 7, 2019. (App. 4, ¶¶ 53-54). JND later sent a supplemental email notice to the 91,167,239 class members who had not yet opted out, filed a claim, or unsubscribed from the initial email notice. (*Id.*, ¶¶ 55-56). The notice plan also provides for JND to perform two additional supplemental email notice campaigns. (*Id.*, ¶ 57).

The digital component of the notice plan, according to Signal, reached 90 percent of the class an average of eight times before the notice date of September 20, 2019, approximately 60 days before the deadline for objecting and opting out. Signal's digital campaign achieved 1.12 billion impressions on social media, paid search, and advertising before the notice date, far surpassing the original target of 892 million impressions. (App. 5, ¶ 24). Signal is expected to deliver an additional 332 million impressions during the remainder of the initial claims period (*id.*, ¶ 25), many more digital impressions than initially anticipated. Signal also placed a full-page notice that appeared in the September 6, 2019 issue of *USA Today*. (*Id.*, ¶ 26). The radio campaign, which ran from August 19 through September 8, 2019 in 210 markets across the country, resulted in 194,797,100 impressions overall and 63,636,800 impressions for the target age group least likely to be reached online. (*Id.*, ¶¶ 27-28).

Finally, the settlement received a great deal of media coverage in virtually

every U.S. market, increasing exposure and reach to class members. The settlement was featured prominently by CNN, in the *New York Times*, and on the Today Show, among other national media outlets. (*Id.*). From July 22, 2019 through December 1, 2019, there were approximately 30,000 mentions related to the data breach or the settlement in the media. (*Id.*, ¶ 90).

As a result of the notice program and extensive media coverage, the response from the class has been unprecedented. The settlement website received 46 million visits during the first 48 hours following preliminary approval and, as of December 1, 2019, the total number of visits to the website exceeded 130 million, with nearly 40 million discrete visitors. Most significantly, with several weeks left in the initial claims period, the claims administrator has received in excess of 15 million claims from verified class members, including over 3.3 million claims for credit monitoring. (*Id.*, ¶¶ 5, 64-69). The claims rate, to date, thus exceeds 10% of the class.

These claims and others that continue to be filed are governed by a detailed claims administration protocol, which employs a variety of techniques to facilitate access, participation, and claims adjudication and resolution. (App. 4, ¶¶ 4, 71). JND has also developed specialized tools to assist in processing claims, calculating payments, and assisting class members in curing any deficient claims. (*Id.*, ¶¶ 4, 21). As a result, class members have the opportunity to file a claim easily and have that claim adjudicated fairly and efficiently.

## 5. Attorneys' Fees And Expenses And Service Awards.

Class counsel have applied for a percentage-based fee of \$77.5 million, reimbursement of \$1,404,855.35 in litigation expenses, and service awards of \$2,500 for each settlement class representative totaling no more than \$250,000 in the aggregate. [[Doc. 858](#)]. These amounts are in accordance with the terms of the settlement agreement and were not negotiated by the parties until after the negotiations regarding the relief to be afforded to the class had concluded. Under prevailing precedent and the circumstances of this case, these requests are reasonable, and for the reasons set forth in more detail below, the requests will be approved.

## 6. Releases.

In pertinent part, the class will release Equifax from claims that were or could have been asserted in this case. The releases are set forth in more detail in the settlement agreement. [[Doc. 739-2](#), ¶¶ 2.38, 2.50, 16].

## II. FINAL APPROVAL OF PROPOSED SETTLEMENT AND CERTIFICATION OF SETTLEMENT CLASS.

The Court, having considered the Settlement Agreement and Release including all of its exhibits [[Doc. 739-2](#)]; all objections and comments received regarding the settlement; all motions and other court filings by objectors and *amici curiae*; the arguments and authorities presented by the parties and their counsel in their briefing; the arguments at the final approval hearing on December 19, 2019;

and the record in this action, and good cause appearing, hereby reaffirms its findings in the Order Directing Notice, finds the settlement is fair reasonable and adequate, and certifies the settlement class.

**A. The Proposed Settlement Is Fair, Reasonable, And Adequate.**

Before the Court may finally approve a proposed settlement, it must consider the factors listed in Rule 23(e)(2) including whether “(A) the class representatives and class counsel have adequately represented the class; (B) the proposal was negotiated at arm’s length; (C) the relief provided for the class is adequate, taking into account: (i) the costs, risks, and delay of trial and appeal; (ii) the effectiveness of any proposed method of distributing relief to the class, including the method of processing class-member claims; (iii) the terms of any proposed award of attorney’s fees, including timing of payment; and (iv) any agreement required to be identified under Rule 23(e)(3); and (D) the proposal treats class members equitably relative to each other.” Fed. R. Civ. P. 23(e)(2). As explained below, consideration of each of these factors supports a finding that the settlement is fair, reasonable, and adequate and should be approved.

**1. The Class Was Adequately Represented.**

The first prong of Rule 23(e)(2) directs the Court to consider whether the class representatives and class counsel have adequately represented the class. Fed. R. Civ. P. 23(e)(2)(A). Traditionally, adequacy of representation has been considered in

connection with class certification. For this analysis, courts consider: “(1) whether [the class representatives] have interests antagonistic to the interests of other class members; and (2) whether the proposed class’ counsel has the necessary qualifications and experience to lead the litigation.” *Columbus Drywall & Insulation, Inc. v. Masco Corp.*, 258 F.R.D. 545, 555 (N.D. Ga. 2007).

The Court finds that the class representatives are adequate. They share the same interests as absent class members, assert claims stemming from the same event that are the same or substantially similar to the rest of the class, and share the same types of alleged injuries as the rest of the class. Like the rest of the class, the class representatives’ personal information at issue was stolen and they all allege the same risk—that their information may be misused by criminals in the future. And, no class member has benefitted from the breach. For all these reasons, the Court finds that the interests of class members are not antagonistic and there is no intra-class conflict here.

Further, the Court finds that class counsel have adequately represented the class. The Court appointed class counsel after a comprehensive and competitive appointment process. Their experience in complex litigation generally and data breach litigation specifically has been brought to bear here, as they effectively worked to bring this case to a successful resolution. The Court has observed class counsel’s diligence, ability, and experience in pleadings and motion practice; in

regularly-conducted status conferences; in their presentation of the settlement to this Court; and in their attention to matters of notice and administration after the announcement of the settlement. The excellent job class counsel have done for the class is also demonstrated in the benefits afforded by the settlement.

**2. The Proposed Settlement Was Negotiated At Arm's Length.**

With respect to the second factor under Rule 23(e)(2), the Court readily concludes that this settlement was negotiated at arm's length, and that there was no fraud or collusion in reaching the settlement. Fed. R. Civ. P. 23(e)(2)(B). This Court has observed the zeal with which counsel for the parties have advanced their clients' interests in this case, their written work, and their oral advocacy at status conferences and the numerous other hearings that have been conducted. Further, Layn Phillips, a retired federal judge with a wealth of experience in major complex litigation and large-scale data breach cases who served as the settlement mediator, has attested to the history of the contentious negotiations, the process of reaching agreement on a binding term sheet, the level of advocacy on both sides of the case, and his opinion that the settlement represents a reasonable and fair outcome. [Doc. 739-9]. *See generally Ingram v. The Coca-Cola Co.*, 200 F.R.D. 685, 693 (N.D. Ga. 2001) (presence of "highly experienced mediator" pointed to "absence of collusion"). Moreover, any possibility of collusion—already remote—is undercut by the fact that the settlement enjoys the support of the Federal Trade Commission, the Consumer

Financial Protection Bureau, and Attorneys General of 48 states, Puerto Rico, and the District of Columbia. These regulators entered into their own separate settlements with Equifax after the parties entered into the term sheet in this case and agreed that the settlement fund in this case can serve as the vehicle for consumer redress related to the breach.

### **3. The Relief Provided To The Class Is Adequate.**

The third factor the Court considers under Rule 23(e)(2) is the relief provided for the class taking into account “(i) the costs, risks, and delay of trial and appeal; (ii) the effectiveness of any proposed method of distributing relief to the class, including the method of processing class-member claims; (iii) the terms of any proposed award of attorney’s fees, including timing of payment; and (iv) any agreement required to be identified under Rule 23(e)(3).” Fed. R. Civ. P. 23(e)(2)(C).

In examining the adequacy of the relief provided to the class, the Court starts with the observation that this settlement is the largest and most comprehensive recovery in a data breach case in U.S. history by several orders of magnitude. [Doc. 739-4, pp. 40-45]. Not only does the size of the settlement fund exceed all previous data breach settlements, but the specific benefits provided to class members (both monetary and nonmonetary) that were enumerated above meet or substantially exceed those that have been obtained in other data breach cases. (*Id.*; see also Doc.

739-7, ¶ 66). It is also particularly significant that all valid claims for out-of-pocket losses likely will be paid in full; that 3.3 million class members have already submitted claims for credit monitoring with a collective retail value of roughly \$6 billion; that all class members, whether or not they file a claim, will have access to identity restoration services to help deal with the aftermath of any identity theft for seven years; that the notice program will continue for the full seven years to remind class members of the existence of those extended services; that Equifax must spend at least \$1 billion on data security and related technology; and that Equifax's compliance with comprehensive data security measures will be subject to independent verification and judicial enforcement.

The minimum cost to Equifax of the settlement is \$1.38 billion and could be more, depending on the cost of complying with the injunctive relief, the number and amount of valid claims filed for out-of-pocket losses, and the number of class members who sign up for credit monitoring (as Equifax, not the settlement fund, will bear the cost if more than seven million class members sign up for three-bureau credit monitoring and Equifax, not the settlement fund, will bear the cost of providing the extended one-bureau credit monitoring under the settlement). The benefit to the class—even when only considering the value of the \$380.5 million minimum settlement fund, the minimum \$1 billion Equifax is required to spend on data security and related technology, and the retail value of the credit monitoring



already claimed by class members—exceeds \$7 billion.

These benefits have added value by being available now, rather than after years of continued litigation, because class members can immediately take advantage of settlement benefits designed to mitigate and prevent future harm, including credit monitoring and injunctive relief. *See Anthem*, 327 F.R.D. at 318 (discussing the importance of timely providing credit monitoring to the class and implementing security enhancements in wake of a data breach). Additionally, the Court finds that much of the relief afforded by the settlement likely exceeds what could be achieved at trial (*see Doc. 903 at 13-16*), and, taken as a whole the settlement represents a result that is at the high end of the range of what could be achieved through continued litigation.

The adequacy of the relief is likewise supported by consideration of the four subparts enumerated in Rule 23(e)(2)(C)(i-iv), all of which support a finding that the relief provided by the settlement is fair, reasonable, and adequate.

**a) The Risks, Costs, and Delay of Continued Litigation.**

In considering the adequacy of the settlement in light of the risks of continued litigation under Rule 23(e)(2)(C)(i), the Court finds the cost and delay of continued litigation would have been substantial. But for the settlement, the parties would likely incur tens of millions of dollars in legal fees and expenses in discovery and motion practice. Trial likely would not occur earlier than 2021 and appeals would

almost certainly delay a final resolution for a year or more after that. Moreover, had the case not settled, the plaintiffs would have faced a high level of risk. *See Anthem*, 327 F.R.D. at 322 (finding that the “significant risks” and the “delay in any potential recovery from proceeding with litigation,” weighed in favor of approval). Equifax would likely renew its arguments under Georgia law that it has no legal duty to safeguard personal information, arguments that were strengthened following the Supreme Court of Georgia’s decisions in *Georgia Dep’t of Labor v. McConnell*, 828 S.E.2d 352 (Ga. 2019). Class certification outside of the settlement context also poses a significant challenge. *See, e.g., Adkins v. Facebook, Inc.*, 2019 WL 7212315, at \*9 (N.D. Cal. Nov. 26, 2019) (denying motion to certify data breach damages class under Rule 23(b)(3)); *Anthem*, 327 F.R.D. at 318 (“While there is no obvious reason to treat certification in a data-breach case differently than certification in other types of cases, the dearth of precedent makes continued litigation more risky.”). And, even if plaintiffs prevail on all those legal issues, they face the risk that causation cannot be proved, discovery will not support their claims, a jury might find for Equifax, and an appellate court might reverse a plaintiffs’ judgment.

Class counsel, appointed to act in the best interests of the class, cannot afford to ignore or downplay these significant risks in deciding whether to settle or continue litigating plaintiffs’ claims. Similarly, the Court must take those risks into account in determining whether the proposed settlement is fair, reasonable, and adequate. In

considering these risks, the Court finds that the guaranteed and immediate recovery for the class made available by this settlement far outweighs the mere possibility of future relief after lengthy and expensive litigation. The reality is that, if the Court does not approve the settlement in this case, there is a serious risk that many if not all class members will receive nothing. That the plaintiffs achieved all the relief in the settlement in the face of the risk they face strongly weighs in favor of approving the settlement as fair, reasonable, and adequate.

**b) The Method of Distributing Relief is Effective.**

Rule 23(e)(2)(C)(ii) requires the Court to next consider the effectiveness of the proposed method to distribute relief to the class, including the method for processing claims. Upon review of the declarations submitted in support of the motion to direct notice and for final approval [*see generally* Docs. 739-6 and 900-4], the Court finds that the method of distributing relief is effective. Class members can file claims through a straightforward claims process, and claims are not required for identity restoration services or to benefit from the injunctive relief agreed to by Equifax. Those claiming out-of-pocket losses must supply documentation of their losses, but such requirements are routine and likely less stringent than a plaintiff would have to present during discovery or trial. Some documentation requirements are necessary to ensure that the settlement fund is used to pay legitimate claims. Similarly, the requirement that losses be “fairly traceable” to the breach is not

onerous (and is arguably a less stringent standard than would apply at trial), and its enforcement is subject to a claims administration protocol developed with input from state and federal regulators. [Doc. 739-2, pp. 286-87, ¶ III].

The Court concludes that the requirements to make claims for other relief are also reasonable. For example, any class member is eligible to enroll in credit monitoring services without any documentation. Class members seeking alternative compensation in lieu of credit monitoring do not need to provide any documentation, but only identify and attest to their existing credit monitoring service. This is not an onerous requirement, and even those who already submitted claims and failed to provide the name of their credit monitoring service will be given another chance to do so through the deficient claims process set forth in the claims administration protocol. And, those seeking reimbursement for time spent dealing with the breach can claim up to 10 hours without any documentation.

The claims administrator, JND, is highly experienced in administering large class action settlements and judgments, and it has detailed the efforts it has made in administering the settlement, facilitating claims, and ensuring those claims are properly and efficiently handled. (App. 4, ¶¶ 4, 21; *see also* Doc. 739-6, ¶¶ 2-10). Among other things, JND has developed protocols and a database to assist in processing claims, calculating payments, and assisting class members in curing any deficient claims. (*Id.*, ¶¶ 4, 21). Additionally, JND has the capacity to handle class

member inquiries and claims of this magnitude. (App. 4, ¶¶ 5, 42). This factor, therefore, supports approving the relief provided by this settlement.

**c) The Terms Relating To Attorneys' Fees Are Reasonable.**

The third consideration of evaluating relief under Rule 23(e)(2)(C) is whether the attorneys' fees requested under the settlement are reasonable. Fed. R. Civ. P. 23(e)(2)(C)(iii). Here, class counsel are requesting a fee based on a percentage of the benefits available to the class. As addressed in detail below, the Court finds that the request is reasonable under prevailing precedent and the facts of this case. Further, the timing of the payment of fees does not impact the adequacy of the relief, as no fee will be paid until after Equifax fully funds the settlement fund and under no circumstance will any of the settlement funds revert to Equifax. *See* Fed. R. Civ. P. 23(e)(2)(B)(iii). As such, this factor weighs in favor of approving the settlement.

**d) Agreements Required To Be Identified By Fed. R. Civ. P. 23(e)(3).**

Finally, Rule 23(e)(2)(C)(iv) directs the Court to consider the relief afforded to the class in light of any agreements required to be identified by Rule 23(e)(3). The parties previously submitted to the Court, *in camera*, the specific terms of the provision allowing Equifax to terminate the settlement if more than a certain number of class members opted out and the cap on notice spending that would create a mutual termination right. These provisions have not been triggered, and thus do not

affect the adequacy of the relief obtained here. The parties have not identified, and the Court is unaware of, any other agreements required to be identified by the Rule. Therefore, this element of Rule 23(e)(2)(C) also weighs in favor of approval.

**4. Class Members Are Treated Equitably Relative To Each Other.**

The fourth and final factor under Rule 23(e)(2), directs the Court to consider whether class members are treated equitably relative to each other. Fed. R. Civ. P. 23(e)(2)(D). According to the advisory committee notes, this factor is closely related to the adequacy requirement of Rule 23(a). The Court expressly considers whether the settlement provides equitable “treatment of some class members vis-à-vis others,” and an issue that has been raised by some objectors is whether the settlement apportions “relief among class members [that] takes appropriate account of differences among their claims, and whether the scope of the release may affect class members in different ways.” Adv. Comm. Notes 23(e)(2) (2018).

As an initial matter, the class members all have similar claims arising from the same event: the Equifax data breach. And as all class members are eligible to claim the various benefits provided by the settlement if they meet the requirements, they all are treated equitably under the settlement.

While class members who have incurred out-of-pocket losses will be able to recover more relative to class members who have not, this allocation is fair and equitable because these class members would have had the ability to seek greater

damages at trial. Additionally, the settlement provides for an extended claims period of four years after the initial claims period, through January 2024. This provides the opportunity for all class members to make claims for future out-of-pocket losses resulting from the breach.

All class members, regardless of whether they incurred out-of-pocket losses, are eligible to claim credit monitoring. This also treats class members fairly. “The emphasis on this form of relief is logical because it is directly responsive to the ongoing injury resulting from the breach.” *Anthem*, 327 F.R.D. at 332; *see also* App. 6, ¶ 41 (stating that “[t]he features included in the Experian services are particularly helpful for consumers concerned about identity theft, because they are designed to quickly help identify fraudulent misuse of a consumer’s personal information”).

Moreover, all class members—even those who do not submit claims—benefit from the various non-monetary aspects of the settlement, including access to identity restoration services and the business practice changes that Equifax will implement at a cost of at least \$1 billion. (*See* App. 2, ¶ 21). By addressing the alleged injuries class members suffered and by helping to mitigate future harm—through the extended claims period, availability of credit monitoring and identity restoration services, and mandated business practice changes—the settlement is equitable to all class members.

Finally, class members have been treated equitably despite the fact that they reside in different states and may have been able to assert different statutory claims depending on the state in which they reside. All class members share at least one common claim for negligence under Georgia law, and as to the statutory remedies that survived the motion to dismiss, the Court does not find that those remedies are materially different such that they render the plan of apportionment inequitable. Although some statutory claims may permit a plaintiff to seek statutory damages, Georgia law permits all class members to seek nominal damages and there are additional risks associated with those statutory claims that persuade the Court they are not materially more beneficial so as to render the settlement unfair.

This final factor of Rule 23(e)(2) thus supports this Court's finding that the settlement is fair, reasonable, and adequate and should be approved.

**5. The Bennett Factors Support Approving The Settlement As Fair, Reasonable, And Adequate.**

In addition to the rule-based factors set forth in Rule 23, in considering whether to approve the settlement the Court is further guided by the factors set forth in *Bennett v. Behring Corp.*, 737 F.2d 982, 986 (11th Cir. 1984). These factors include: (1) the likelihood of success at trial; (2) the range of possible recovery; (3) the range of possible recovery at which a settlement is fair, adequate, and reasonable; (4) the anticipated complexity, expense, and duration of litigation; (5) the opposition to the settlement; and (6) the stage of proceedings at which the settlement was



achieved. *Faught v. Am. Home Shield Corp.*, 668 F.3d 1233, 1240 (11th Cir. 2011). Many of these considerations overlap those found in Rule 23(e)(2); all of them support final approval.

As explained above with respect to consideration of Rule 23(e)(2), the first and fourth *Bennett* factors strongly support approving the settlement. The likelihood of success at trial is uncertain at best. Equifax would have no doubt renewed its defenses at the summary judgment stage and the settlement provides relief that may not have been available had the case been tried. The case would have been extraordinarily expensive to litigate going forward and would have certainly taken years to conclude. Likewise, consideration of the second and third *Bennett* factors support the settlement as fair, reasonable, and adequate because the settlement reflects relief the Court finds is in the high range of what could have been obtained had the parties continued to litigate.

The fifth *Bennett* factor, which examines opposition to the settlement, likewise supports approval. In the Court's view, the class has reacted positively to the settlement. In contrast to the 15 million claims, including over 3.3 million claims for credit monitoring that already have been filed by verified class members, only 2,770 settlement class members asked to be excluded from the settlement and only 388 class members directly objected to the settlement—many in the wake of incomplete or misleading media coverage, or at the behest of serial class action

objectors, and often demonstrating a flawed understanding of the settlement terms. This miniscule number of objectors in comparison to the class size is entitled to significant weight in the final approval analysis. *See, e.g., Lipuma v. Am. Express Co.*, 406 F. Supp. 2d 1298, 1324 (S.D. Fla. 2005) (“[A] low percentage of objections points to the reasonableness of a proposed settlement and supports its approval”); *In re Home Depot, Inc. Customer Data Sec. Breach Litig.*, 2016 WL 6902351, at \*4 (N.D. Ga. Aug. 23, 2016) (same).

With respect to the sixth *Bennett* factor, the Court finds that the case settled at a stage of the proceedings where class counsel had sufficient knowledge of the law and facts to fairly weigh the benefits of the settlement against the potential risk of continued litigation. (*See, e.g.*, App. 1, ¶¶ 4-15; Doc. 739-4, ¶ 36). In particular, class counsel conducted a thorough factual and legal investigation in order to prepare their comprehensive consolidated amended complaint; exhaustively researched and analyzed the applicable law; reviewed more than 500,000 pages of documents and voluminous electronic spreadsheets from Equifax [*see generally*, Doc. 900-1, ¶¶ 6-14; Doc. 739-4, ¶ 17]; consulted with various experts; had the benefit of substantial informal discovery, including meetings with Equifax and its senior employees responsible for data security [Doc. 900-1, ¶ 14; Doc. 739-4, ¶ 23]; and engaged in confirmatory discovery after the term sheet was finalized. [Doc. 739-4, ¶ 36]. Thus, the *Bennett* factors, like the Rule 23 factors, strongly support approval of the

settlement.

Finally, in evaluating whether the settlement is fair, reasonable, and adequate, the Court also gives due weight to the judgment of class counsel. *See, e.g., Nelson v. Mead Johnson & Johnson Co.*, 484 F. App'x 429, 434 (11th Cir. 2012) (“Absent fraud, collusion, or the like, the district court should be hesitant to substitute its own judgment for that of counsel.”); *Cotton v. Hinton*, 559 F.2d 1326, 1330 (5th Cir. 1977). Class counsel are highly experienced in significant complex litigation including large and complex data breach class actions [Doc. 187, pp. 6-7], and they strongly believe that both the economic and injunctive relief secured for the class here is extraordinary. [Doc. 739-4, ¶ 60; *see also* App. 1, ¶ 16]. Also significant is Judge Phillips’s endorsement of the settlement, particularly given his experience in mediating large-scale data breach cases. [Doc. 739-9, ¶ 13]. Finally, the fact that nearly all of the applicable state and federal regulators agreed to the provision of consumer redress through the settlement fund in this action strongly demonstrates the fairness of the settlement.

In conclusion, the settlement reflects an outstanding result for the class in a case with a high level of risk. The relief provided by this settlement—both monetary and non-monetary—exceeds the relief provided in other data breach settlements and the Court finds is in the high range of possible recoveries if the case had successfully been prosecuted through trial. Moreover, the settlement resulted from hard fought,

arm's-length negotiations, not collusion. The settlement is therefore fair, reasonable, and adequate under Rule 23 and Eleventh Circuit precedent.

**B. The Court Certifies The Settlement Class.**

The Court must examine whether this proposed settlement class may be certified under Rule 23(a)'s prerequisites and under Rule 23(b)(3). *Amchem Products, Inc. v. Windsor*, 521 U.S. 591, 613-14 (1997). The Court previously concluded it was likely to certify the following settlement class:

The approximately 147 million U.S. consumers identified by Equifax whose personal information was compromised as a result of the cyberattack and data breach announced by Equifax Inc. on September 7, 2017.

Excluded are (i) Equifax, any entity in which Equifax has a controlling interest, and Equifax's officers, directors, legal representatives, successors, subsidiaries, and assigns; (ii) any judge, justice, or judicial officer presiding over this matter and the members of their immediate families and judicial staff; and (iii) any individual who timely and validly opts out of the settlement class. As the Court ruled on Equifax's motion to dismiss, all of these class members state claims for negligence and negligence per se under Georgia law. [Doc. 540, at 9, 29-43]. For the reasons set forth below, the Court hereby finally certifies, for settlement purposes only, the settlement class pursuant to Fed. R. Civ. P. 23.

**1. Fed. R. Civ. P. 23(a) Requirements Are Satisfied.**

**a) Numerosity:**

Rule 23(a)(1) requires that a proposed settlement class be so numerous that joinder of all class members is impracticable. Fed. R. Civ. P. 23(a)(1). The settlement class consists of more than 147 million U.S. consumers, indisputably rendering individual joinder impracticable.

**b) Commonality:**

“Commonality requires the plaintiff to demonstrate that the class members ‘have suffered the same injury,’ such that ‘all their claims can productively be litigated at once.’” *Wal-Mart Stores, Inc. v. Dukes*, 564 U.S. 338, 349-350 (2011); *see also Sellers v. Rushmore Loan Mgmt. Servs., LLC*, 941 F.3d 1031, 1039 (11th Cir. 2019) (noting inquiry is far less demanding than Rule 23(b)(3)’s predominance requirement). All members of the class suffered the same alleged injury, exposure of their data in the Equifax data breach, stemming from the same conduct and the same event. The class members are asserting the same or substantially similar legal claims. And “[t]he extensiveness and adequacy of [defendants’] security measures lie at the heart of every claim.” *Anthem*, 327 F.R.D. at 308. As the central question in all class members’ claims is whether Equifax breached its duty of care through its conduct with regard to their personal information, common questions are apt to drive the resolution of the legal issues in the case. *Id.*

Courts, including this one, have previously addressed this requirement in the context of data breach class actions and found it readily satisfied. *See, e.g., Home Depot*, [2016 WL 6902351](#), at \*2 (finding that multiple common issues “all center on [the defendant’s] conduct, satisfying the commonality requirement.”); *Anthem*, [327 F.R.D. at 308](#) (noting that “the complaint contains a common contention capable of class-wide resolution—‘one type of injury allegedly inflicted by one actor in violation of one legal norm.’”). The same sorts of common issues are present here, including whether Equifax had a legal duty to adequately protect class members’ personal information; whether Equifax breached that legal duty; and whether Equifax knew or should have known that class members’ personal information was vulnerable to attack. *See Home Depot*, [2016 WL 6902351](#), at \*2. Commonality is satisfied.

**c) Typicality:**

Rule 23(a)(3) requires that the claims or defenses of the representative parties be typical of the claims or defenses of the class. [Fed. R. Civ. P. 23\(a\)\(3\)](#). This prong too is readily met in settlements of nationwide data breach class actions. *See Anthem*, [327 F.R.D. at 309](#) (“[I]t is sufficient for typicality if the plaintiff endured a course of conduct directed against the class.”). Plaintiffs’ claims here arise from the same data breach and Equifax’s conduct in connection with the data breach. The claims are also based on the same overarching legal theory that Equifax failed in its

common-law duty to protect their personal information. The typicality requirement has been met.

**d) Adequacy of Representation:**

As noted above, the adequacy requirement is satisfied here, as the class representatives do not have any interests antagonistic to other class members, and the class has been well represented by the appointed class counsel. The Court finds that the class representatives have fulfilled their responsibilities on behalf of the class. There is at least one class representative from each state, and therefore the potential interests of class members with various state law claims have been represented. The Court further finds no material differences that would render these class representatives inadequate. Likewise, the Court further finds that class counsel have prosecuted the case vigorously and in the best interests of the class, and they adequately represented each class member.

Again, the Court notes that this prong too has been readily met in nationwide data breach class action settlements. *See Home Depot*, [2016 WL 6902351](#), at \*2. And multiple courts have found the adequacy requirement satisfied in nationwide data breach class action settlements in the face of objections to the contrary. *See Anthem*, [327 F.R.D. at 310](#) (“To the extent that there are slight distinctions between Settlement Class Members, the named Plaintiffs are a representative cross-section of the entire Class.”); *see generally In re Target Corp. Customer Data Sec. Breach*

*Litig.*, 892 F.3d 968, 974 (8th Cir. 2018) (rejecting challenge to adequacy due to lack of “future-damages subclass”). The Court has identified no conflicts among class members here. And significantly, even the existence of minor conflicts does not defeat certification: “the conflict must be a fundamental one going to the specific issues in controversy.” *Valley Drug Co. v. Geneva Pharm., Inc.*, 350 F.3d 1181, 1189 (11th Cir. 2003) (internal quotations and citations omitted). If any conflict exists among class members or groups of class members, that conflict certainly is not fundamental. The Court has no doubt that the class representatives and class counsel have performed their duties in the best interests of the class.

**2. The Settlement Class Meets the Requirements of Fed. R. Civ. P. 23(b)(3).**

Rule 23(b)(3) requires that “questions of law or fact common to class members predominate over any questions affecting only individual members,” and that class treatment is “superior to other available methods for fairly and efficiently adjudicating the controversy.” *Id.* The matters pertinent to these findings include:

- the class members’ interests in individually controlling the prosecution or defense of separate actions;
- the extent and nature of any litigation concerning the controversy already begun by or against class members;
- the desirability or undesirability of concentrating the litigation of the claims in the particular forum; and
- the likely difficulties in managing a class action.



Fed. R. Civ. P. 23(b); *see also Vega v. T-Mobile USA, Inc.*, 564 F.3d 1256, 1278 (11th Cir. 2009) (“In determining superiority, courts must consider the four factors of Rule 23(b)(3).”). One part of the superiority analysis—manageability—is irrelevant for purposes of certifying a settlement class. *Amchem*, 521 U.S. at 620.

**a) Predominance:**

The predominance requirement “tests whether proposed classes are sufficiently cohesive to warrant adjudication by representation.” *Id.* at 623. “Common issues of fact and law predominate if they have a direct impact on every class member’s effort to establish liability and on every class member’s entitlement to ... relief.” *Carriuolo v. Gen. Motors Co.*, 823 F.3d 977, 985 (11th Cir. 2016).

Here, as set forth above, there are numerous common questions. These common questions predominate because all claims arise out of a common course of conduct by Equifax. The focus on a defendant’s security measures in a data breach class action “is the precise type of predominant question that makes class-wide adjudication worthwhile.” *Anthem*, 327 F.R.D. at 312.

Even though this is a nationwide class action, variations in state law will not predominate over the common questions. The Court previously found that Georgia law applies to the negligence claims of the entire class. [Doc. 540 at 8-9].<sup>2</sup> Further,

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<sup>2</sup> Even if Georgia law did not apply to the negligence claims of the entire class, “Plaintiffs’ negligence claims would not get bogged down in the individualized

in the context of this litigation, the Court is persuaded that the presence of multiple state consumer protection laws does not defeat predominance, because “the idiosyncratic differences between state consumer protection laws are not sufficiently substantive to predominate over the shared claims” for purposes of Rule 23(b)(3). *Anthem*, 327 F.R.D. at 315. In *Anthem*, the court found it noteworthy that “Plaintiffs’ theories across these consumer-protection statutes are essentially the same” thereby avoiding any pitfalls of state law variation. *Id.* (quoting *In re Mex. Money Transfer Litig.*, 267 F.3d 743, 747 (7th Cir. 2001)). Here too, the core allegations are that Equifax failed to implement and maintain reasonable security and privacy measures and failed to identify foreseeable security and privacy risks.

Perhaps the only significant individual issues here involve damages, but these issues do not predominate over the common issues in this case. *See, e.g., Home Depot*, 2016 WL 6902351, at \*2; *Anthem*, 327 F.R.D. at 311-16; *see also Brown v. Electrolux Home Prods., Inc.*, 817 F.3d 1225, 1239 (11th Cir. 2016) (individualized damages generally do not defeat predominance). Further minimizing any risk of individual damages predominating over common issues, the consolidated amended complaint seeks nominal damages on behalf of all class members, which may be available under Georgia law even where no evidence is given of any particular

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causation issues that sometimes plague products-defect cases. ... [because] the same actions by a single actor wrought the same injury on all Settlement Class Members together.” *Anthem*, 327 F.R.D. at 314.

amount of loss. *See, e.g., Georgia Power Co. v. Womble*, 150 Ga. App. 28, 32 (1979); *Land v. Boone*, 265 Ga. App. 551, 554 (2004).

**b) Superiority:**

“The inquiry into whether the class action is the superior method for a particular case focuses on increased efficiency.” *Agan v. Katzman & Korr, P.A.*, 222 F.R.D. 692, 700 (S.D. Fla. 2004) (internal quotation omitted). “The focus of this analysis is on the relative advantages of a class action suit over whatever other forms of litigation might be realistically available to the plaintiffs.” *Sacred Heart Health Sys., Inc. v. Humana Military Healthcare Servs., Inc.*, 601 F.3d 1159, 1183-84 (11th Cir. 2010) (internal quotation omitted). That a class member may not receive a large award in a settlement does not scuttle superiority; the opposite tends to be true. *See Dickens v. GC Servs. Ltd. P’ship*, 706 F. App’x 529, 538 (11th Cir. 2017) (describing “the ways in which the high likelihood of a low per-class-member recovery militates in favor of class adjudication”).

Here, it is inconceivable that the vast majority of class members would be interested in controlling the prosecution of their own actions. The cost of doing so, especially for class members who do not claim out-of-pocket losses, would dwarf even a full recovery at trial. A major thrust of Equifax’s motion to dismiss was that the plaintiffs did not suffer any damages, let alone the “relatively paltry potential recoveries” that class actions serve to vindicate. *See Sacred Heart*, 601 F.3d at 1184.

Given the technical nature of the facts, the volume of data and documents at issue, and the unsettled area of the law, it would not take long for an individual plaintiff's case to be hopelessly submerged financially. On the other hand, the presence of such pertinent predominant questions makes certification here appropriate. *Compare Anthem*, 327 F.R.D. at 312 (data breach dealt with “the precise type of predominant question that makes class-wide adjudication worthwhile”) with *Sacred Heart*, 601 F.3d at 1184 (“[T]he predominance analysis has a tremendous impact on the superiority analysis[.]”) (internal quotation marks omitted).

As to the extent and nature of litigation already commenced, the settlement agreement identifies 390 consumer cases related to this multidistrict litigation, and there are more than 147 million class members. As the Judicial Panel on Multidistrict Litigation stated, “[c]entralization will eliminate duplicative discovery, prevent inconsistent pretrial rulings on class certification and other issues, and conserve the resources of the parties, their counsel, and the judiciary.” *In re: Equifax, Inc., Customer Data Sec. Breach Litig.*, 289 F. Supp. 3d 1322, 1325 (JPML 2017). The settlement furthers those goals. Similarly, it is desirable to concentrate the litigation of the claims here, which was selected as the transferee district because, among other reasons, Equifax is headquartered in this district, the vast majority of the plaintiffs supported this district, and “far more actions [were] pending in this district than in any other court in the nation.” *Id.* at 1326.

Because the requirements of Rule 23(a) and (b)(3) have been satisfied, the Court certifies the settlement class.

### III. THE COURT OVERRULES ALL OBJECTIONS TO THE SETTLEMENT.

The Court now addresses objections to the settlement. The objections fail to establish the settlement is anything other than fair, reasonable, and adequate.

Out of the approximately 147 million class members, only 388 directly objected—or just 0.0002 percent of the class—despite organized efforts to solicit objections using inflammatory language and based on false and misleading statements about the settlement, such as that only \$31 million is available to pay claims and that if all 147 million class members filed claims everyone would get 21 cents.<sup>3</sup> Many objections repeat these false and misleading assertions as fact and challenge the settlement on that basis. Further, on the eve of the objection deadline, an additional 718 form “objections,” which allegedly had been filled out online by class members, were submitted *en masse* by Class Action Inc., a class action claims aggregator that created a website ([www.NoThanksEquifax.com](http://www.NoThanksEquifax.com)) with a “chat-bot” that encouraged individuals to object based on that same erroneous information.<sup>4</sup>

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<sup>3</sup> Charlie Warzel, *Equifax Doesn’t Want You to Get Your \$125. Here’s What You Can Do*, THE NEW YORK TIMES (Sept. 16, 2019), <https://www.nytimes.com/2019/09/16/opinion/equifax-settlement.html>.

<sup>4</sup> Reuben Metcalfe, *You have the right to object to the Equifax settlement. Here’s how.*, MEDIUM (Nov. 8, 2019), <https://medium.com/@reubenmetcalfe/you-have->

(App. 1, ¶¶ 49-59). These form “objections” are procedurally invalid for the reasons set forth later in this Order.

The Court has considered and hereby rejects all of the objections on their merits, whether or not the objections are procedurally valid or whatever may have motivated their filing. All of the objections are in the record, having been filed publicly on the Court’s docket with the declaration of the claims administrator. [[Doc. 899](#)]. By way of example only, this Order references some of the objectors by name. The Court groups the objections as follows: (1) objections to the value of the settlement and benefits conferred on the class; (2) objections relating to the alternative compensation benefit; (3) objections relating to class certification; (4) objections relating to the process for objecting; (5) objections relating to the process for opting-out; (6) objections to the notice plan; and (7) objections to the claims process.<sup>5</sup>

In addition to the briefing from class counsel and Equifax’s counsel, and the Court’s own independent review and analysis, the Court reviewed and found helpful to this process the supplemental declaration of Professor Robert Klonoff (App. 2).

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the-right-to-object-to-the-equifax-settlement-heres-how-4dfdb6cca663. As demonstrated in the record, Mr. Metcalfe represented to class counsel that he had not even read the settlement agreement or notice materials. [[Doc. 939-1](#), ¶ 36].

<sup>5</sup> For the sake of organization, objections to attorneys’ fees, expenses, and service awards are addressed separately below. The Court’s consideration of attorneys’ fees, and relating objections, are an integral part of the determination to finally approve the settlement under the criteria of Rule 23.

Professor Klonoff's declaration was particularly helpful to the Court in the organization and consideration of the objections, but the Court's decisions regarding the objections are not dependent upon his declaration or the declarations plaintiffs submitted from two other lawyers, Professor Geoffrey Miller and Harold Daniel. To the contrary, the Court has exercised its own independent judgment in deciding to reject all of the objections that have been filed.

**A. Objections To The Value Of The Settlement And Benefits Conferred On The Class.**

A majority of the objectors express frustration with Equifax's business practices and want Equifax and its senior management to be punished. The Court is well aware of the intense public anger about the breach, which, in the Court's view, reflects the sentiment that consumers generally do not voluntarily give their personal information directly to Equifax, yet Equifax collects and profits from this information and allegedly failed to take reasonable measures to protect it.

While understandable, the public anger does not alter the Court's role, which is not to change Equifax's business model or administer punishment. Under the law, the Court is only charged with the task of determining whether the proposed settlement is fair, reasonable, and adequate.<sup>6</sup> And, with regard to that task, no one

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<sup>6</sup> See *Ressler v. Jacobson*, 822 F. Supp. 1551, 1552-53 (M.D. Fla. 1992) (judicial evaluation of a proposed settlement "involves a limited inquiry into whether the possible rewards of continued litigation with its risks and costs are outweighed by

can credibly deny that this is a historically significant data breach settlement that provides substantial relief to class members now and for years into the future. Or, that if the Court does not approve the settlement, the plaintiffs' claims may ultimately be unsuccessful and class members may be left with nothing at all.

Objections that the settlement fund is too small for the class size, or that Equifax should be required to pay more, do not take into account the risks and realities of litigation, and are not a basis for rejecting the settlement. "Data-breach litigation is in its infancy with threshold issues still playing out in the courts." *Anthem*, 327 F.R.D. at 317. In light of the material risks involved and the possibility that any of several adverse legal rulings would have left the class with nothing, class counsel would have been justified in settling for much less. *See Behrens v. Wometco Enters., Inc.*, 118 F.R.D. 534, 542 (S.D. Fla. 1998), *aff'd*, 899 F.2d 21 (11th Cir. 1990); *Linney v. Cellular Alaska P'ship*, 151 F.3d 1234, 1242 (9th Cir. 1998) ("[T]he very essence of a settlement is compromise, a yielding of absolutes and an abandoning of highest hopes.") (internal quotation omitted). As it stands, in many respects the settlement provides relief beyond what the class members could have

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the benefits of the settlement"); *Figueroa v. Sharper Image Corp.*, 517 F. Supp. 2d 1292, 1326 (S.D. Fla. 2007) (a court's role is not to "engage in a claim-by-claim, dollar-by-dollar evaluation, but rather, to evaluate the proposed settlement in its totality."); *Carter v. Forjas Taurus, S.A.*, 701 F. App'x 759, 766 (11th Cir. 2017) ("settlements are compromises, providing the class members with benefits but not full compensation.").



obtained at trial.

Many objectors also ask the Court to rewrite the settlement, but that is beyond the Court's power.<sup>7</sup> For example, objectors demand that the settlement should include: a long-term fund for "significant inflation-adjusted cash compensation from Equifax should they leak my data again any time within the next 20 years"<sup>8</sup>; "lifetime" credit and identity protection<sup>9</sup>; a minimum cash payment for every class member (proposed amounts include \$10,000, \$5,000, or \$1,200)<sup>10</sup>; and a separate cash option for class members who freeze their credit.<sup>11</sup> In most cases, these objectors do not contend that the monetary relief is inadequate to compensate class members for any harm caused by Equifax's alleged wrongs, making it hard to see how they are aggrieved. *See Brown v. Hain Celestial Grp., Inc.*, [2016 WL 631880](#), at \*10 (N.D. Cal. Feb. 17, 2016) (citing *In re First Capital Holdings Corp. Fin. Prods. Sec. Litig.*, [33 F.3d 29](#) (9th Cir. 1994)).<sup>12</sup> Regardless, the Court readily

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<sup>7</sup> *Cotton*, [559 F.2d at 1331](#); *Howard v. McLucas*, [597 F. Supp. 1504, 1506](#) (M.D. Ga. 1984) ("[T]he court's responsibility to approve or disapprove does *not* give this court the power to force the parties to agree to terms they oppose." (emphasis in original)), *rev'd in part on other grounds*, [782 F.2d 956](#) (11th Cir. 1986).

<sup>8</sup> Objection of Tristan Wagner.

<sup>9</sup> *E.g.*, Objections of Francis J. Dixon III and Linda J. Moore.

<sup>10</sup> *E.g.*, Objections of Emma Britton, Norma Kline, and Vijay Srikrishna Bhat.

<sup>11</sup> *E.g.*, Objections of Gary Brainin and Sybille Hamilton. These objections ignore, however, that class members could request out-of-pocket losses if they paid to freeze their credit.

<sup>12</sup> Those class members who were unsatisfied with the relief made available had the opportunity to opt out, weighing in favor of finding the settlement fair, reasonable,

concludes that the settlement provides fair and adequate relief under all of the circumstances.

Other settlement terms proposed by objectors are of a regulatory or legislative nature, well beyond the power of the civil justice system. For example, according to some objectors, “[a]ny settlement is inadequate if it allows Equifax to continue using my personal data without my express written consent”<sup>13</sup>; the board and officers should disgorge their salaries and serve prison time<sup>14</sup>; or Equifax should be forced out of business.<sup>15</sup> These “suggestions constitute little more than a ‘wish list’ which would be impossible to grant and [are] hardly in the best interests of the class.” *In re Domestic Air Trans. Antitrust Litig.*, 148 F.R.D. 297, 305 (N.D. Ga. 1993). No objector explains how this type of relief could be achieved at trial.

A number of objectors take issue with the credit monitoring services made available under the settlement. Some object that credit monitoring is very valuable, and thus the settlement should pay for more monitoring extended beyond ten years. Others object that credit monitoring is not valuable at all, that free credit monitoring and credit freezes are already available to everyone, that the value of the offered

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and adequate. *See, e.g., In re Oil Spill By Oil Rig Deepwater Horizon on April 20, 2010*, 295 F.R.D. 112, 156 (E.D. La. 2013) (“Those objectors who are unhappy with their anticipated settlement compensation could have opted out and pursued additional remedies through individual litigation.”).

<sup>13</sup> Objection of Susan S. Hanis.

<sup>14</sup> *E.g.*, Objections of Christie Biehl, Jeffrey Biehl, George Bruno, and Patrick Frank.

<sup>15</sup> *E.g.*, Objections of David Goering, Christie Biehl, and Jeffrey Biehl.

monitoring is inflated to justify an inadequate settlement, and that the actual cost to provide credit monitoring services is *de minimis*.

This Court, like others before it, finds that credit monitoring is a valuable settlement benefit, particularly so the credit monitoring offered to class members in this case for such a lengthy period of time.<sup>16</sup> The credit monitoring provider has explained how the product offered in the settlement is better than the “free” monitoring products typically available to the public, and how the services seek to both prevent and address identity theft concerns. *See* App. 6, ¶¶ 33-43 (summarizing the advantages of the Experian credit monitoring and identity protection service negotiated as part of this settlement over other services available). Its comparable retail value is \$24.99 per month. *Id.* It provides for \$1 million in identity theft insurance and identity restoration services—features designed to address identity theft. And as reported by the claims administrator, millions of class members have chosen to make a claim for the services, further demonstrating their value.

This Court has repeatedly lauded high-quality credit monitoring services as providing valuable class-member relief that would likely not otherwise be

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<sup>16</sup> *See Target and Anthem, supra*; *see also Home Depot*, [2016 WL 6902351](#), at \*4 (overruling objections and finding that 18 months of credit monitoring and injunctive components of settlement are valuable class benefits); *Hillis v. Equifax Consumer Servs. Inc.*, [2007 WL 1953464](#), at \*5 (N.D. Ga. June 12, 2007) (credit monitoring as part of settlement has substantial value).

recoverable at trial, as have other courts in connection with other data breach settlements.<sup>17</sup> Finally, if class members do not wish to claim the credit monitoring option, they can elect alternative cash compensation—which is a form of relief that would not even be recoverable at trial—or opt out of the settlement.<sup>18</sup> After careful consideration of the objections, the size and scope of relief secured by this settlement remains unprecedented and strongly supports final approval.

**B. Objections Relating To The Alternative Compensation Benefit.**

Many objectors challenge the adequacy of the alternative compensation benefit, complaining that they will not receive a \$125 payment that they believe they were promised. Objectors also suggest that the parties and, implicitly by approving the notice plan, the Court, misled the public by stating that all class members were entitled to \$125 simply by filing a claim or that the parties engaged in some sort of “bait and switch” to keep class members from getting \$125. While the Court appreciates the vehemence with which some of these objections are expressed, the

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<sup>17</sup> At the fairness hearing, class counsel summarized the benefits available in the credit monitoring and identity protection plan that was specifically negotiated as part of the settlement. The Court has had the opportunity to review the benefits provided, as well as the estimation of the value of those benefits, and this information has informed the Court of its decision to approve the settlement.

<sup>18</sup> See, e.g., *Greco v. Ginn Dev. Co., LLC*, [635 F. App'x 628, 635-36](#) (11th Cir. 2015) (“If [objector] was displeased with the consideration provided to him under the settlement . . . he was free . . . to opt out of the settlement.”); *Faught*, [668 F.3d at 1242](#) (to the same effect); *Lee v. Ocwen Loan Servicing, LLC*, No. 14-cv-60649, [2015 WL 5449813](#), at \*13 (S.D. Fla. Sept. 14, 2015) (to the same effect).

reality is that the objections are misguided, ignore the limits of litigation, and are based upon a misunderstanding of the settlement.

Class counsel have explained that among their primary goals in the settlement negotiations were to ensure that consumers with out-of-pocket losses from dealing with identity theft that had already occurred or by taking precautionary measures would be reimbursed, that all 147 million class members would have the opportunity to get high quality credit monitoring to detect and defend against future identity theft, and that all class members would have access to identity restoration services if they learn they have been victimized by identity theft. The structure of the settlement reflects those goals, which the Court finds were appropriate and reasonable.

Contrary to the impression held by many objectors who are critical of the settlement, the purpose of the alternative compensation remedy was not to provide every class member with the opportunity to claim \$125 simply because their data was impacted by the breach (and those who object provide no statutory support that they would be entitled to such an automatic payment at trial). Rather, its purpose was to provide a modest cash payment as an “alternative” benefit for those who, for whatever reason, have existing credit monitoring services and do not wish to make a claim for the credit monitoring offered under the settlement. Thus, under the settlement, alternative compensation is expressly limited to those who already have credit monitoring services, do not want the credit monitoring services available

under the settlement, attest they will maintain their own service for at least six months, and provide the name of their current credit monitoring service. Moreover, those individuals who paid for their own credit monitoring service after the breach are able to file a claim to recoup what they paid for those credit monitoring services as out-of-pocket losses in addition to making a claim for the alternative reimbursement compensation available under the settlement.

The Court finds that the parties' decision to settle on terms that did not provide a cash payment to every class member was reasonable; indeed, settlement likely would not have been possible otherwise. The Court is skeptical that, even if it had the financial ability to do so, Equifax would ever willingly pay (or even expose itself to the risk of paying) the billions of dollars that providing a substantial cash payment to all class members would cost. The Court also finds that limiting the availability of the alternative compensation benefit in the way that is done under the settlement was reasonable, and the settlement would have easily been approved had there been no alternative compensation benefit at all.

The alternative compensation remedy was capped at \$31 million as a result of arm's length negotiations. As compared to the settlement fund amounts earmarked for out-of-pocket losses, the Court finds this apportionment to be entirely equitable. Class members who incurred out-of-pocket losses—including paying for credit monitoring or credit freezes after announcement of the breach—have stronger claims

for damages, and those who do not are also entitled to claim credit monitoring and identity restoration services going forward, which provides protection and assistance to class members who are subject to identity theft during the term of the settlement. It appears that the distribution plan will successfully achieve its goals. According to the settlement administrator, even after paying the costs of credit monitoring and identity restoration services, the settlement fund (as supplemented with an additional \$125 million if needed) likely will have sufficient money to pay class members with demonstrable out-of-pocket losses the entire amount of their approved claims. And, any money remaining in the fund after the extended claims period will be used to lift the cap on alternative compensation, allowing alternative compensation claimants to receive an additional, pro rata payment—which many objectors ignore.<sup>19</sup>

The notice plan the Court approved in its Order Directing Notice explained that the amount available to pay alternative compensation claims was capped and that individual class members might receive less than \$125. The long form notice (which was posted on the settlement website as of July 24, 2019—the same date that class members could start making claims), for example, told class members that they could get “up to” \$125 in alternative compensation and further stated: “If there are more than \$31 million in claims for Alternative Reimbursement Compensation, all

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<sup>19</sup> Objections have also been made to the \$38 million cap on claims for time. For the same reasons, the Court rejects these objections.

payments for Alternative Reimbursement Compensation will be lowered and distributed on a proportional basis.” [[Doc. 739-2 at 266](#)].

On the same day that the proposed settlement was first presented to this Court and well before the Court-approved email notices were sent to class members, regulators announced their own settlements with Equifax that incorporated the proposed settlement’s consumer restitution terms in this case, including the alternative compensation benefit. In covering the regulators’ announcements, media outlets began reporting that consumers could get \$125 under the settlement without describing the limited purpose of and the eligibility requirements for the alternative compensation benefit. The ability to receive \$125 under the settlement was also touted on social media, adding to the public misperception. (App. 1, ¶¶ 30-37).

The settlement website began accepting claims on July 24, 2019, shortly after the settlement was preliminarily approved. In the ensuing days, millions of claims for alternative compensation were filed. Because of the claims volume and the \$31 million cap, it quickly became apparent to class counsel that alternative compensation claimants likely would receive a small fraction of what they may have expected based upon media reports, although the specific amount they would receive was unknown. (The specific amount alternative compensation claimants will be paid is unknowable until after the total number of valid alternative compensation claims is determined following the end of the initial claims period and, even then, their



payments may be supplemented following the extended claims period if additional money remains after claims for out-of-pocket losses have been satisfied.) (App.1, ¶¶ 43-44).

Class counsel acted immediately to ensure that class members were not disadvantaged by the misleading media reports and the widespread public misperception about the alternative compensation benefit. They proposed a plan to Equifax and, after receiving input from regulators, presented the plan to the Court at a hearing held on July 30, 2019. The essence of the plan entailed notifying class members that, because of the claims volume, alternative compensation claimants likely would receive much less than \$125 so that, going forward, class members would have that information in making a choice between credit monitoring and alternative compensation. The plan also afforded those who had already filed a claim a renewed opportunity to choose credit monitoring rather than alternative compensation. The Court approved the plan at the hearing and directed the parties to implement its terms. They did so. (App.1, ¶¶ 43-44).

On August 1, 2019, class counsel distributed a statement to the media explaining the limitations of the alternative compensation benefit and urging class members to rely only on the official court notice, not what they heard or read in the media. On August 2, 2019, a statement was placed in a prominent position on the home page of the settlement website that read:

If you request or have requested a cash benefit, the amount you receive may be significantly reduced depending on how many valid claims are ultimately submitted by other class members. Based on the number of potentially valid claims that have been submitted to date, payments for time spent and alternative compensation of up to \$125 likely will be substantially lowered and will be distributed on a proportional basis if the settlement becomes final. Depending on the number of additional valid claims filed, the amount you receive may be a small percentage of your initial claim.

On August 7, 2019, the direct email notice campaign that the Court approved in its July 22, 2019 Order Directing Notice commenced. The first email notice, which was sent to more than 100 million class members, prominently featured the same statement that had been added to the settlement website.<sup>20</sup> The same statement also was featured in a follow up email to the class. Moreover, a separate email was sent to all class members who had filed a claim for alternative compensation before August 2, 2019, repeating the same message and giving them the opportunity to choose credit monitoring if they wanted to switch their claim from alternative reimbursement. Also around this time, the FTC publicly announced that the alternative compensation claim would be less than \$125, recommended that class members select credit monitoring, and included the statement that any class member who already made a claim for alternative compensation could switch to claim credit

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<sup>20</sup> This statement was also included in the publication notice, which appeared as a full-page advertisement in *USA Today* on September 6, 2019.

monitoring.<sup>21</sup>

So, beginning August 2, 2019, all class members who went to the website to file a claim were put on notice that alternative compensation claimants in all likelihood would only receive a small percentage of \$125.<sup>22</sup> Beginning August 7, 2019, class members were given the same information as part of the Court-approved direct email notice program. And, all class members who filed an alternative compensation claim before August 2, 2019, were separately told of the situation and given an opportunity to amend their claim to choose credit monitoring instead of the cash payment if they wanted to do so. The Court thus finds that the notice plan approved by the Court on July 22, 2019, coupled with the supplemental plan approved at the July 30, 2019 hearing, provided reasonable and adequate notice to the class about the limits of the alternative compensation benefit and that class members had sufficient information and opportunity to make an informed choice between that benefit and credit monitoring.

The likelihood that alternative compensation claimants will receive

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<sup>21</sup> FTC Encourages Consumers to Opt for Free Credit Monitoring, as part of Equifax Settlement, FTC (July 31, 2019), *available at* <https://www.ftc.gov/news-events/press-releases/2019/07/ftc-encourages-consumers-opt-free-credit-monitoring-part-equifax>.

<sup>22</sup> The online claim form was also amended as of August 2, 2019 to advise that payments for the alternative compensation benefit may be less than \$125 depending on the number and amount of claims filed.

substantially less than \$125 does not mean that the relief afforded by the settlement is inadequate. To the contrary, as described above, the relief offered by the settlement is unprecedented in scope. The Court must evaluate the adequacy of the settlement in terms of the entirety of the relief afforded to the class. The other substantial benefits—including payment of out-of-pocket losses, credit monitoring, identity restoration services, and the reduction in the risk of another breach—would justify approval of the settlement as fair, reasonable, and adequate even if the settlement did not provide an alternative compensation benefit at all. Indeed, this Court has previously approved settlements that provided no alternative compensation benefit in the *Home Depot* and *Arby's* data breach cases.

Moreover, the likelihood that alternative compensation claimants will receive substantially less than \$125 is not unfair, and does not render the alternative compensation benefit itself inadequate. All of the alternative compensation claimants are eligible for the same relief made available to other class members, they received the same Court-approved communications as other class members disclosing that payments for alternative compensation claims would be a small percentage of \$125, and those who filed their claims before the above enhancements to the settlement website were implemented were given the opportunity to change their minds. That class members, armed with this information, chose alternative compensation rather than the more valuable credit monitoring services offered by

the settlement reflects their own personal decision, not a failing of the settlement or inadequate representation by class counsel. Moreover, the alternative compensation claimants retain the right to take advantage of all the other settlement benefits except credit monitoring.

It is unfortunate that inaccurate media reports and social media posts created a widespread belief that all class members, simply by filing a claim, would receive \$125. But the parties are not responsible for those reports and class counsel acted appropriately, diligently, and in the best interests of the class by taking corrective action when they learned of the erroneous reporting. Moreover, any class member who chose alternative compensation rather than credit monitoring has had ample opportunity to make a new choice. Accordingly, objections to the adequacy of the settlement based on the fact that alternative compensation claimants will not receive \$125; the manner in which class members were informed about the alternative compensation benefit; or the notion that class members were misled into choosing alternative compensation are overruled.

**C. Objections Relating To Class Certification.**

Objectors to class certification assert that the class representatives and counsel are not “adequate” for purposes of Rule 23(a)(4) because: (1) the interests of class members who have already incurred out-of-pocket losses conflict with those who

have incurred only a risk of future losses,<sup>23</sup> or (2) some state consumer protection laws implicate statutory penalties while others do not.<sup>24</sup> Thus, according to the objections, “fundamental” intra-class conflicts between subgroups exist, requiring numerous subclasses with separate counsel for each. *See, e.g., Amchem*, 521 U.S. at 591; *Ortiz v. Fibreboard Corp.*, 527 U.S. 815 (1999). These objections are wholly without merit as there simply are no fatal intra-class conflicts, fundamental or otherwise.

For the reasons set forth below, subclasses were not required here and, much more likely, would have been detrimental to the interests of the entire class. The practical effect of creating numerous subclasses represented by competing teams of lawyers would have decreased the overall leverage of the class in settlement discussions and rendered productive negotiations difficult if not impossible.<sup>25</sup> Further, if the case had not settled, the additional subclasses and lawyers likely would have made the litigation process, particularly discovery and trial, much harder to manage and caused needless duplication of effort, inefficiency, and jury

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<sup>23</sup> Objection of Shiyang Huang [Doc. 813 at 5-7].

<sup>24</sup> Objection of Frank and Watkins [Doc. 876 at 1].

<sup>25</sup> *See In re Oil Spill by Oil Rig Deepwater Horizon in Gulf of Mexico, on April 20, 2010*, 910 F. Supp. 2d 891, 919 (E.D. La. 2012), *aff’d sub nom. In re Deepwater Horizon*, 739 F.3d 790 (5th Cir. 2014) (district court wary of “[s]uch rigid formalism” of requiring subclasses, “which would produce enormous obstacles to negotiating a class settlement with no apparent benefit[.]”).

confusion.<sup>26</sup>

The Eleventh Circuit has provided the contours necessary for an objector to establish a fundamental conflict that may necessitate subclasses: “A fundamental conflict exists where some party members claim to have been harmed by the same conduct that benefitted other members of the class.” *Valley Drug Co. v. Geneva Pharm., Inc.*, 350 F.3d at 1189. “[T]he existence of minor conflicts alone will not defeat a party’s claim to class certification: the conflict must be a ‘fundamental’ one going to the specific issues in controversy.” *Id.* There is simply is no evidence of a fundamental intra-class conflict in this case. No class members were made better off by the data breach such that their interests in the outcome of the litigation are adverse to other class members. Similarly, all class members benefit from the proposed settlement, while none are harmed by it. In arguing otherwise, the objectors focus on minor differences within the class that are immaterial in the context of this case

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<sup>26</sup> Frank and Watkins contend that residents of each jurisdiction with statutory claims that survived the motion to dismiss should be served by separate counsel. (See Final Approval Hearing Tr., at 78-79). They also acknowledge that claims under consumer protection statutes from 33 jurisdictions survived. [Doc. 876, at 6]. The objectors’ approach thus would require at least 34 separate teams of lawyers (appointed class counsel plus lawyers for each jurisdiction), which would needlessly cause the scope of these proceedings to explode. The selection and appointment process alone would be incredibly time consuming and the duplication of effort involved in ensuring each legal team was adequately versed in the law and facts to assess the relative worth of their clients’ claims would be staggering. Ironically, the same objectors criticize the requested attorneys’ fees in this case on the basis that class counsel’s hours are inflated because too many lawyers worked on it. [Doc. 876, at 24].

and, in any event, do not defeat class certification.

Shiyang Huang’s objection—that this fact pattern is akin to *Amchem* and *Ortiz* because some class members have presently incurred out-of-pocket costs while others have not—was thoroughly analyzed and rejected in *Target*:

The *Amchem* and *Ortiz* global classes failed the adequacy test because the settlements in those cases disadvantaged one group of plaintiffs to the benefit of another. There is no evidence that the settlement here is similarly weighted in favor of one group to the detriment of another. Rather, the settlement accounts for all injuries suffered. Plaintiffs who can demonstrate damages, whether through unreimbursed charges on their payment cards, time spent resolving issues with their payment cards, or the purchase of credit-monitoring or identity-theft protection, are reimbursed for their actual losses, up to \$10,000. Plaintiffs who have no demonstrable injury receive the benefit of Target’s institutional reforms that will better protect consumers’ information in the future, and will also receive a pro-rata share of any remaining settlement fund. It is a red herring to insist, as [Objector] does, that the no-injury Plaintiffs’ interests are contrary to those of the demonstrable-injury Plaintiffs. All Plaintiffs are fully compensated for their injuries.

*Target*, [2017 WL 2178306](#), at \*5, *aff’d*, [892 F.3d at 973-76](#); *see generally id.* at \*2-9. Further, “the interests of the various plaintiffs do not have to be identical to the interests of every class member; it is enough that they share common objectives and legal or factual positions.” *Id.* at \*6 (quoting *Petrovic v. Amoco Oil Co.*, [200 F.3d 1140, 1148](#) (8th Cir. 1999)). As in *Target*, the class representatives are adequate here because they seek essentially the same things as all class members: compensation for whatever monetary damages they suffered and reassurance that their information



will be safer in Equifax's hands in the future. *Id.*<sup>27</sup>

Unlike here, *Amchem* and *Ortiz* were massive personal injury “class action[s] prompted by the elephantine mass of asbestos cases” that “defie[d] customary judicial administration.” *Prof'l Firefighters Ass'n of Omaha, Local 385 v. Zalewski*, 678 F.3d 640, 646 (8th Cir. 2012). In those cases adequacy was not sufficiently protected within a single class because claimants who suffered diverse medical conditions as a result of asbestos exposure wanted to maximize the immediate payout, whereas healthy claimants had a strong countervailing interest in preserving funds in case they became ill in the future. These vast differences between groups of claimants in *Amchem* required “caution [because] individual stakes are high and disparities among class members great.” *Amchem*, 521 U.S. at 625. Those concerns are simply not present in this consumer case where all class members allege the same injury from the compromise of their personal information. *See Anthem*, 327 F.R.D. at 314 (dispelling analogies to *Amchem* in the data breach context because “the same actions by a single actor wrought the same injury on all Settlement Class Members together”).

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<sup>27</sup> *See also Anthem*, 327 F.R.D. at 309-11 (analyzing and overruling same objection). This Court rejected a similar objection in the *Home Depot* consumer track. *See* 2016 WL 6902351 (rejecting all objections asserted by Sam Miorelli, including an objection that separate counsel was necessary to represent allegedly conflicting subclasses (No. 14-md-2583-TWT, Doc. 237 at 39-40) (objection); Doc. 245 at 21-23 (reply in support of final approval)).

Further, Mr. Huang's argument is particularly weak given the structure of the settlement in this case and the nature of the alleged harm to the class. While those who have already incurred out-of-pocket losses are being reimbursed now, those who incur out-of-pocket losses in the future are not left without a monetary remedy. Class members will have an opportunity to be reimbursed for out-of-pocket losses relating to future identity theft during the extended claims period. Moreover, there is no conflict because of the nature of the harm caused by the breach. Those who have already suffered losses stand just as likely to suffer future losses as those who have not suffered any losses to date and thus all class members have an incentive to protect against future harm. *See Target*, 892 F.3d at 976 (future injury "is just as likely to happen to a member of the subclass with documented losses").

Accordingly, the interests of the proposed subclasses here "are more congruent than disparate, and there is no fundamental conflict requiring separate representation." *Target*, 892 F.3d at 976; *see also Anthem*, 327 F.R.D. at 309-10. The settlement benefits all class members equally by compensating both current and future losses as well as protecting against and providing assistance in dealing with any future losses or misuse of their information. The Court therefore rejects Shiyang Huang's objection to class certification.

Objectors Frank and Watkins insist that the adequacy of representation requirement can only be satisfied with subclasses, with separate counsel, to account

for differences in the damages potentially available under different state consumer statutes. The Court is not persuaded, as this case seems well-suited to resolution via a nationwide class settlement. Frank and Watkins have not demonstrated how separate representation for state-specific subclasses would benefit anyone, let alone the class as a whole, or that the state statutes as a practical matter provide any class members with a substantial remedy under the facts presented. To the contrary, the Court finds that it is unlikely that any individual class members would have benefitted in any material way from state statutory remedies under the circumstances of this case or from separate representation for the purpose of advocating the alleged value of those remedies.

To begin with, the court in *Target* rejected this specific objection explaining:<sup>28</sup>

The availability of potential statutory damages for members of the class from California, Rhode Island, and the District of Columbia does not, by itself, mean that the interests of these class members are antagonistic to the interests of class members from other jurisdictions. Class actions nearly always involve class members with non-identical damages. . . .

[Objector's] argument in this regard ignores the substantial barriers to any individual class member actually recovering statutory damages. Class members from these three jurisdictions willingly gave up their uncertain potential recovery of statutory damages for the certain and complete recovery, whether monetary or equitable, the class settlement offered. Contrary to [Objector's] belief, this demonstrates

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<sup>28</sup> Frank, the objector here, is a lawyer who represented the unsuccessful objector in *Target*. His co-counsel in *Target*, Melissa Holyoak, represents Frank and Watkins (her brother) in this case. While their roles may be different, Frank and Holyoak are making the same argument that failed in *Target*.

the cohesiveness of the class and the excellent result named Plaintiffs and class counsel negotiated, not any intraclass conflict.

2017 WL 2178306, at \*6. Similarly, the trial court in *Anthem* found that, as in this case, “there is no structural conflict of interest based on variations in state law, for the named representatives include individuals from each state, and the differences in state remedies are not sufficiently substantial so as to warrant the creation of subclasses.” *Anthem*, 327 F.R.D. at 310 (quoting *Hanlon v. Chrysler Corp.*, 150 F.3d 1011, 1021 (9th Cir. 1998)); cf. *Columbus Drywall*, 258 F.R.D. at 555 (“The fact that the named plaintiffs may have suffered greater damages does not indicate that named plaintiffs possess interests antagonistic to other plaintiffs.”).<sup>29</sup>

Those cases are more analogous here than the authority objectors cite. In *W. Morgan-E. Lawrence Water & Sewer Auth. v. 3M Co.*, 737 F. App’x 457 (11th Cir. 2018), consumers of allegedly contaminated water *and* the water authority that supplied the water were lumped into the same settlement class in an action against

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<sup>29</sup> See also *Hanlon*, 150 F.3d at 1022 (“although some class members may possess slightly differing remedies based on state statute or common law, the actions asserted by the class representatives are not sufficiently anomalous to deny class certification. On the contrary, to the extent distinct remedies exist, they are local variants of a generally homogenous collection of causes which include products liability, breaches of express and implied warranties, and ‘lemon laws.’”); *Dickens v. GC Servs. Ltd. P’ship*, 706 F. App’x 529, 536 (11th Cir. 2017) (class representative may be adequate even where seeking only statutory damages when other class members also suffered actual damages; at most this is a “minor conflict” under *Valley Drug*); *Navelski v. Int’l Paper Co.*, 244 F. Supp. 3d 1275, 1307 (N.D. Fla.), *reconsideration denied*, 261 F. Supp. 3d 1212 (N.D. Fla. 2017) (“The class members’ damages will differ in degree, perhaps, but not in nature.”).

the alleged polluters, even though many class members had actually filed injury claims *against* the water authority. *Id.* at 464. Because the water authority had an interest in maximizing the injunctive relief obtained from the alleged polluters while *minimizing* the value of (if not undermining entirely) consumers' claims for compensatory damages, a fundamental intra-class conflict plainly existed, precluding dual representation of consumers and the water authority. *Id.* No such fundamental conflict exists here.

Frank and Watkins also rely on the Second Circuit's opinion in *In re Literary Works in Elec. Databases Copyright Litig.*, 654 F.3d 242 (2d Cir. 2011). They claim the case is "directly on point," but it is not. [Doc. 876 at 7]. *Literary Works* was a copyright case in which the proposed settlement divided the class into three claimant groups, called Categories A, B, and C. Unlike here, no single transaction or claim united the Category A, B, and C plaintiffs. The settlement capped the defendants' total liability and provided that, if the claims exceeded that cap, the Category C claims would be reduced *pro rata*. *Id.* at 246. In other words, the settlement protected the Category A and B claims at the sole expense of the Category C claims and could have resulted in Category C claimants receiving nothing. So, unlike here, the *Literary Works* settlement "sold out" one category of claims. *See id.* at 252.

The three claims categories in *Literary Works* were different in kind given the statutory scheme under which they arose. Category A claimants (whose claims were

uniquely valuable under federal copyright law because they were registered in time to be eligible for statutory penalties) had stronger claims than Category C claimants (who had never registered their copyrights and thus were not eligible to claim even actual damages). But, according to the court, that did not mean Category A claimants could take all the settlement's benefits, at least not without independent representation for the Category C claimants. In contrast, the proposed settlement in this case provides all class members with benefits and, unlike in the proposed settlement in *Literary Works*, is “carefully calibrated” to do so. *Anthem*, 327 F.R.D. at 310-11.<sup>30</sup>

Further, unlike in *Literary Works*, the entire class in this case brings the same common law claim for negligence stemming from the same event and arising under one state's law. This shared claim—involving the uniform applicability of Georgia law to a single set of facts—binds the interests of all class members, no matter where

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<sup>30</sup> For the same reason, the Court overrules the Frank and Watkins objection that the settlement treats class members inequitably. The Court finds that due to the calibration of benefits, the settlement satisfies Rule 23(e)(2)(D). Further, the Court does not agree that Frank and Watkins's approach would lead to a more equitable result and finds instead that it could disadvantage the entire class. Due to the large number of class members, at best, the approach might allow residents of a handful of states to receive potentially larger (but still quite small) statutory damages. But predicting such a result is mere speculation, particularly because the two objectors have not demonstrated that the statutory claims to which they point are even viable. More likely, their approach would lead to no settlement (and possibly no recovery at all).

they reside, and overcomes any theoretical differences that arise from potential state statutory remedies. That is particularly true in this case because there is substantial doubt as to whether the plaintiffs can satisfy conditions the state statutes require to prove liability on an individual or class wide basis, (Utah’s statute for example, requires each plaintiff to establish a “loss” and may not even be available in a class action),<sup>31</sup> and the complaint seeks nominal damages under Georgia law on behalf of all class members, which could yield more than the statutory damages for which Frank and Watkins argue. *See, e.g., Wright v. Wilcox*, 262 Ga. App. 659, 662 (2003) (noting that damages are not “restricted to a very small amount”). Thus, Frank and Watkins’s claim that no one “press[ed] their most compelling case” is without merit. [Doc. 876, at 11].

So too is the objectors’ implication that their recovery is inadequate in relation to a possible award at trial. The Court has already noted that the settlement is at the high end of the range of likely recoveries and that many of the specific benefits of the settlement likely would not be attainable at trial, such as the fact that all class members are eligible for credit monitoring. Over a four-year period, the retail value of the credit monitoring approximates or exceeds the purported value of Frank and Watkins’s statutory damages claims. Accordingly, Frank and Watkins likely are

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<sup>31</sup> *See* U.C.A. § 13-11-19 (“A consumer who suffers loss as a result of a violation of this chapter may recover, *but not in a class action*, actual damages or \$2,000, whichever is greater, plus court costs.”) (emphasis added).



economically better off under the settlement than they would be even in the unlikely event that their state statutory claims were successfully litigated through trial. In short, the reality is that any conflicts between class members based upon their states of residence are doubtful and speculative, and even if any such conflicts exist, they are minimal.

Finally, Frank and Watkins do not identify any authority holding that a class settlement cannot release individual claims arising from the same transaction or occurrence that are not held by all class members. That happens all the time, in all manner of class judgments, and the Court has considered and found equitable under Rule 23(e) the scope of the release here. Under Frank and Watkins's theory, every multi-state class action settlement involving state law claims would risk invalidity without subclasses (with separate representatives and counsel) for each state. Many class settlements that have been approved and upheld on appeal would be invalid as a matter of law under such a rule, including *NFL Concussion*,<sup>32</sup> *Chrysler-Dodge-Jeep Ecodiesel*,<sup>33</sup> and *Volkswagen "Clean Diesel"*.<sup>34</sup>

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<sup>32</sup> *In re Nat'l Football League Players Concussion Injury Litig.*, 307 F.R.D. 351 (E.D. Pa. 2015), *aff'd*, 821 F.3d 410 (3d Cir. 2016).

<sup>33</sup> *In re Chrysler-Dodge-Jeep Ecodiesel Mktg., Sales Practices, & Prods. Liab. Litig.*, 2019 WL 2554232 (N.D. Cal. May 3, 2019).

<sup>34</sup> *In re: Volkswagen "Clean Diesel" Mktg., Sales Practices, & Prods. Liab. Litig.*, No. MDL 2672 CRB (JSC), 2016 WL 6248426 (N.D. Cal. Oct. 25, 2016), *aff'd*, 895 F.3d 597 (9th Cir. 2018), *and aff'd*, 741 F. App'x 367 (9th Cir. 2018) (2.0-liter settlement); *In re Volkswagen "Clean Diesel" Mktg., Sales Practices, & Prods.*



The facts asserted by the objectors thus do not establish a conflict. And even if the objectors had identified a non-speculative conflict, which they have not, the conflict is minor and does not go to the heart of the claims asserted in the litigation. Moreover, the involvement of a cross-section of class representatives across all states, use of a respected and experienced mediator, and extensive input from state and federal regulators all safeguarded the process leading to the settlement. Indeed, the Attorneys General of both jurisdictions in which Frank and Watkins reside—Utah and the District of Columbia—incorporated this settlement as the mechanism for providing relief to their citizens in their own settlements with Equifax.

For all these reasons, the objections related to other consumer protection statutes do not present a problem with adequacy. In that regard, the Court also finds it relevant that Rule 23(e) was recently amended to require consideration of how settlement benefits are apportioned among class members as part of the fairness, reasonableness, and adequacy requirement. That, in and of itself, suggests that the adequacy requirement does not require that every class member share identical and overlapping claims. The Court has found here that the benefits are being equitably apportioned, and that the class is adequately represented without fundamental conflicts. There is therefore no basis to deny class certification under Rule 23(a)(4).

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*Liab. Litig.*, No. MDL 2672 CRB (JSC), [2017 WL 2212783](#) (N.D. Cal. May 17, 2017) (3.0-liter settlement).

Another objector claims that class members who have an existing credit monitoring service are treated inequitably. [Doc. 880 at 11]. But claimants who purchased credit monitoring on or after September 7, 2017, in response to the breach may make a claim for full reimbursement of the costs, up through the date they submit a claim. [Doc. 739-2, ¶¶ 2.37, 6.2.4, 8.3.2]. These class members also have the opportunity to cancel their existing credit monitoring service and sign up for the (likely superior) comprehensive credit monitoring offered under the settlement, obtaining the same benefits available to every other class member. Or, they are eligible for alternative cash compensation, albeit smaller than the maximum \$125, and remain eligible for all of the other settlement benefits. Accordingly, the Court finds that those class members with existing credit monitoring are treated equitably under the settlement.

**D. Objections Relating To The Process For Objecting.**

The Court finds that the process for objecting is reasonable. Some objectors argue that the procedure for objecting is overly burdensome, asserting that objectors should not be required to show they are members of the settlement class, or provide their personal contact information, signature, or dates for a potential deposition. This argument is at odds with the number of objections received, and few objectors had difficulty meeting these criteria. Nevertheless, the requirements imposed on objectors are consistent with Rule 23, are common features of class action

settlements,<sup>35</sup> and were informed by the Court's previous experience dealing with objectors in connection with the *Home Depot* data breach settlement.

Some objectors protest the possibility of being subjected to a deposition, but objectors who voluntarily appear in an action place their standing and basis for objecting at issue for discovery. *See In re Cathode Ray Tube (CRT) Antitrust Litig.*, 281 F.R.D. 531, 533 (N.D. Cal. 2012) (holding that when an objector voluntarily appears in litigation by objecting to a class settlement, he or she is properly subject to discovery). Courts in this Circuit have found it advisable to discover the objector's knowledge of the settlement terms, to ferret out frivolous objections, and to expose objections that are lawyer-driven and filed with ulterior motives.<sup>36</sup> Moreover, Rule

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<sup>35</sup> *See Champs Sports Bar & Grill Co. v. Mercury Payment Sys., LLC*, 275 F. Supp. 3d 1350, 1353 (N.D. Ga. 2017) (striking objection for failing to comply with similar criteria); *Home Depot*, Doc. 185 at ¶ 12 (N.D. Ga. March 8, 2016) (requiring objectors to provide personal contact information and signature); *Jones v. United Healthcare Servs., Inc.*, 2016 WL 8738256, at \*4 (S.D. Fla. Sept. 22, 2016); *Chimeno-Buzzi v. Hollister Co.*, 2015 WL 9269266, at \*5 (S.D. Fla. Dec. 18, 2015) (same); *see also In re Premera Blue Cross Customer Data Sec. Breach Litig.*, 2019 WL 3410382, at \*27 (D. Or. July 29, 2019) (requiring objectors to provide personal contact information and provide signed statement that he or she is member of settlement class); *In re Anthem, Inc. Data Breach Litig.*, 2017 WL 3730912, at \*3 (N.D. Cal. Aug. 25, 2017) (requiring written objection to contain personal contact information and signature).

<sup>36</sup> *See Montoya v. PNC Bank, N.A.*, 2016 WL 1529902, at \*19 (S.D. Fla. April 13, 2016); *see also Champs Sports*, 275 F. Supp. 3d at 1359 (overruling the objection in a case where the objector was deposed, admitted he had no evidence or knowledge supporting objection, and could not explain how the settlement was inadequate); *Morgan v. Pub. Storage*, 301 F. Supp. 3d 1237, 1259 (S.D. Fla. 2016) ("An objector's knowledge of the objection matters in crediting (or not) the objection and

23 has recently been amended to address these sorts of concerns. *See generally* Fed. R. Civ. P. 23(e)(5).<sup>37</sup> The objection requirements serve to further appropriate lines of inquiry, and are not meant to discourage objections. “Such depositions not only serve to inform the Court as to the true grounds and motivation for the objection, but they also help develop a full record should the objector file an appeal.” *Montoya*, 2016 WL 1529902, at \*19.

Finally, the personal signature requirement is not burdensome, and is of particular importance in this case, to ensure that the objection is made in the objector’s personal capacity, and not at the behest of others. And, the personal signature requirement decreases the likelihood that services encouraging mass objections or opt-outs file unauthorized or fictitious objections. These objections are overruled.

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determining the objector’s motives.”); *cf. Greco v. Ginn Dev. Co.*, 635 F. App’x 628, 633 (11<sup>th</sup> Cir. 2015) (district court may properly consider whether those voicing opposition to settlement have ulterior motives).

<sup>37</sup> The accompanying 2018 Advisory Committee Notes explain that the Rule has been amended because “some objectors may be seeking only personal gain, and using objections to obtain benefits for themselves rather than assisting in the settlement-review process. At least in some instances, it seems that objectors—or their counsel—have sought to obtain consideration for withdrawing their objections or dismissing appeals from judgments approving class settlements.”

### **E. Objections Relating To How To Opt Out.**

The Court overrules all objections related to the procedures for how to opt out. The exclusion procedure is simple, affords class members a reasonable time in which to exercise their option, and is conventional.<sup>38</sup> The individual signature requirement on opt-out requests is not burdensome at all. Moreover, it ensures that each individual has carefully considered his options and understands that he is giving up his right to relief under the settlement. While technology provides an avenue for filing claim forms more easily, it also makes it easier for third parties and their counsel to file unauthorized “mass opt-outs,” which are sometimes “highly indicative of a conclusion that such counsel did not spend much time evaluating the merits of whether or not to opt-out in light of the individual circumstances of each of their clients and in consultation with them.”<sup>39</sup> The Court’s Order Directing Notice clearly did not present insurmountable hurdles to opting out of the settlement class.

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<sup>38</sup> See, e.g., *Harrison v. Consol. Gov’t. of Columbus, Georgia*, [2017 WL 6210318](#), at \*2 (M.D. Ga. April 26, 2017) (requiring exclusion form to be mailed via regular mail); *Flaum v. Doctor’s Assoc., Inc.*, [2017 WL 3635118](#), at \*3 (S.D. Fla. March 23, 2017) (same); *Home Depot*, [Doc. 185 at ¶ 11](#) (N.D. Ga. March 8, 2016) (same); *Jones*, [2016 WL 8738256](#), at \*3 (same); Manual for Complex Litigation (Fourth) § 21.321 (2004) (hereinafter, “*Manual*”) (“Typically, opt-out forms are filed with the clerk, although in large class actions the court can arrange for a special mailing address and designate an administrator retained by counsel and accountable to the court to assume responsibility for receiving, time-stamping, tabulating, and entering into a database the information from responses.”).

<sup>39</sup> *In re Oil Spill by Oil Rig Deepwater Horizon*, [910 F. Supp. 2d at 939](#). Here, where the technology allowing class members to object or opt out is coupled with

Several class members object that there should be a renewed opportunity to opt out of the settlement after the final approval hearing. But class members already had at least 60 days from the notice date [[Doc. 742 at 15](#)] and 120 days after the order directing notice to evaluate the settlement and request exclusion. The length of the opt-out period provided class members a reasonable opportunity to exclude themselves.<sup>40</sup> And, because the Court is approving the settlement without any changes, the final approval hearing did not create any new grounds for a class member to opt out.

#### **F. Objections To The Notice Plan.**

Objections to the notice plan include that: (1) the content of the notice is inadequate; (2) the supplemental e-mail notice to early claimants was inadequate or improper; (3) the notice plan is too reliant on email and social media; (4) the notice plan is inadequate for those without computers or access to news; and (5) the notice plan is unclear as to the amount of fees requested. The Court rejects and overrules each of these objections. The parties implemented the Court-approved notice plan that was developed in conjunction with federal and state regulators, which

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misinformation about what the settlement actually provides, the dangers of accepting mass, unsigned objections or opt-out requests are even more acute.

<sup>40</sup> “Courts have consistently held that 30 to 60 days between the mailing (or other dissemination) of class notice and the last date to object or opt out, coupled with a few more weeks between the close of objections and the settlement hearing, affords class members an adequate opportunity to evaluate and, if desired, take action concerning a proposed settlement.” *Greco*, [635 F. App’x at 634](#).

constitutes the best notice practicable under the circumstances, and provides class members with information reasonably necessary to evaluate their options. *See Fed. R. Civ. P. 23(e)(1)(B)*; *see also Greco*, 635 F. App'x at 633.

The notice plan here clearly and concisely explains the nature of the action and the rights of class members, thereby satisfying the requirements of Rule 23 and due process. The short form notice, developed with both federal and state regulators, and approved by this Court, sets forth a clear and concise summary of the case and the proposed settlement and, in large, bold typeface, directs class members to visit the settlement website<sup>41</sup> or call the toll-free phone number for more information. *See In re Checking Account Overdraft Litig.*, 830 F. Supp. 2d 1330, 1342-44 (S.D. Fla. 2011) (approving notice where information was referenced in short form notice and more information was readily available in full on settlement website). And the long form notice on the settlement website contains a comprehensive explanation of the

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<sup>41</sup> The long-form notice and the “Frequently Asked Questions” (“FAQ”) page of the settlement website contain a section entitled “Legal Rights Resolved Through The Settlement” and provide an answer to the question: “What am I giving up to stay in the settlement class?” The answer clearly provides that, by staying in the settlement class, class members are releasing their “legal claims relating to the Data Breach against Equifax when the settlement becomes final.” *See Doc. 739-2 at 269 & Settlement Website FAQ 20*. Additionally, these notice materials contain a section titled “The Lawyers Representing You” and provide an answer to the question: “How will these lawyers be paid?” The answer clearly states that class counsel are seeking attorneys’ fees of up to \$77,500,000 and reimbursement for costs and expenses up to \$3,000,000 to be paid from the Consumer Restitution Fund. *See Doc. 739-2 at 270-71 & Settlement Website FAQ 22*.



settlement and related matters. While the long form notice does not contain every fact or piece of information a class member might find to be material, that is legally unnecessary, potentially confusing, and off-putting to class members.<sup>42</sup>

Some objectors complain the notice plan failed to adequately explain that the alternative compensation benefit could be reduced depending on how many valid claims were submitted. But, as discussed above, the misconception that each class member would automatically receive alternative reimbursement compensation of \$125 arose not from the notice plan (nor could it, since direct email notice to the class had not yet been sent when the misconception arose), but from misleading media coverage that began even before the proposed settlement was presented to the Court. *See App. 1, ¶¶ 27-37.* Further, as discussed above, the notice plan, particularly when coupled with the additional steps the Court approved on July 30, 2019, ensured that class members had adequate information about the alternative compensation benefit—including information that alternative compensation claimants likely would receive a “small percentage” of \$125—before making a choice between that benefit and credit monitoring.<sup>43</sup> And, for those who made the choice before the

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<sup>42</sup> *See Faught*, 668 F.3d at 1239 (an overly-detailed notice has the potential to confuse class members and impermissibly encumber their right to benefit from the action).

<sup>43</sup> Some objectors also erroneously assert that the Court approved a change to the claims form (requiring alternative claimants to provide the name of their existing credit monitoring service) to deter class members from claiming \$125. This



enhancements to the settlement website were implemented, they were sent an email giving them an opportunity to change their minds and amend their claim.<sup>44</sup>

Some objectors argue that the notice plan was too reliant upon newer technologies to deliver notice of the settlement to the class. But courts have increasingly approved utilizing email to notify class members of proposed class settlements, and such notice was appropriate in this case. *See, e.g., Home Depot*, [2016 WL 6902351](#), at \*5 (holding notice reaching 75 percent of class through email and internet advertising satisfied Rule 23 and due process); *Morgan*, [301 F. Supp. 3d at 1262](#) (“Courts consistently approve notice programs where notice is provided primarily through email because email is an inexpensive and appropriate means of delivering notice to class members.”). The ultimate focus is on whether the notice methods reach a high percentage of the class. *See* Federal Judicial Center, “*Judge’s Class Action Notice and Claims Process Checklist and Plain Language*

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requirement was a component of the settlement from the outset. Changing the form helped ensure that only those eligible for alternative compensation would file a claim and saved the claims administrator from the necessity of having to go back to claimants and ask for that information in the claims vetting process from the millions of people who were filing claims.

<sup>44</sup> Other objectors argue that all early claimants should have been notified by notarized letter, rather than email. But each claimant provided his email address as part of the claims filing process, and was informed that subsequent correspondence would be received via email. *See* App. 4, ¶¶ 60-62. Moreover, the objectors present no evidence that a substantial number of class members did not receive the supplemental email notice. *See Nelson*, [484 F. App’x at 434-35](#) (affirming district court’s decision overruling conclusory objections).

*Guide*” (2010) (available at [www.fjc.gov](http://www.fjc.gov)); R. Klonoff, *Class Actions in the Year 2026: A Prognosis*, 65 Emory L.J. 1569, 1650 & n. 479 (2016) (“Courts have increasingly utilized social media . . . to notify class members of certification, settlement, or other developments.”).

The Court-approved notice plan, which as noted above was designed by experienced counsel for the parties, JND (an expert in providing class action notice), Signal (an expert in mass media and data analytics), and experts on consumer communications at the Federal Trade Commission and the Consumer Financial Protection Bureau, effectively reached and engaged the class. *See Carter v. Forjas Taurus S.A.*, [2016 WL 3982489](#), at \*5 (S.D. Fla. Jul. 22, 2016) (notice plan that “used peer-accepted national research methods to identify the optimal traditional, online, mobile and social media platforms to reach the Settlement Class Members” was sufficient). Direct email notice was sent to the more than 104 million class members whose email addresses could be found with reasonable effort. The digital aspects of the notice plan, alone, reached 90 percent or more of the class an average of eight times. App. 5, ¶¶ 22-24. *See* Federal Judicial Center, “Judges’ Class Action Notice and Claims Process Checklist and Plain Language Guide” (2010)<sup>45</sup> (recognizing the effectiveness of notice that reaches between 70 and 95 percent of the class). And, the unprecedented claims rate in a case of this magnitude not only

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<sup>45</sup> Available at <https://www.fjc.gov/sites/default/files/2012/NotCheck.pdf>.

further demonstrates that the notice plan's use of email and social media satisfied minimum standards, but also has been more effective than other notice methods.

The Court also overrules objections that the notice program is inadequate for those without ready access to computers or the internet. The Constitution does not require that each individual member receive actual notice of a proposed settlement. *See Juris v. Inamed Corp.*, 685 F.3d 1294, 1318 (11<sup>th</sup> Cir. 2012). Publication and media notice are appropriate where direct notice is not reasonable or practicable, such as when a class consists of millions of residents from different states. *See Edwards v. Nat'l Milk Producers Fed'n*, 2017 WL 3623734, at \* 4 (N.D. Cal. June 26, 2017) ("In view of the millions of members of the class, notice to class members by individual postal mail, email or radio or television advertisements, is neither necessary nor appropriate.") (quoting *In re MetLife Demutualization Litig.*, 262 F.R.D. 205, 208 (E.D.N.Y. 2009)). It was particularly appropriate here, where so much effort was spent in quantitative and qualitative research (including the use of focus groups and a public opinion survey) to specifically identify and target those who lack ready access to the internet and to design a national radio advertising campaign to reach them.<sup>46</sup>

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<sup>46</sup> *See, e.g., Kumar v. Salov N. Am. Corp.*, 2017 WL 2902898, at \*3 (N.D. Cal. July 7, 2017) (approving of notice campaign consisting of media notice, publication notice, and advertisements on various websites); *In re Nat'l Collegiate Athletic Ass'n Student-Athlete Concussion Injury Litig.*, 314 F.R.D. 580, 602-03 (N.D. Ill. 2016)

In the Court's estimation, it would have been extremely wasteful to spend a significant portion of the settlement fund sending direct mail notice to 147 million class members across the United States and its territories or even to a substantial subset of the class. That would have needlessly reduced the money available to pay for the benefits to the class. The plan developed by the parties, notice experts, and federal and state regulators, and approved by the Court, was sufficient, particularly in light of the pervasive media coverage and the efforts of state and federal regulators to inform consumers about the potential relief available to the class under the settlement. Indeed, few, if any, other class actions of which the Court is aware have received the widespread public attention that the settlement in this case has received or, as noted above, triggered such a substantial number of claims.

Some objectors argue that the notice plan does not identify the exact amount of fees sought by class counsel and thus precisely how much money will be left in the settlement fund after the fees have been paid. But because this Court has broad

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(approving indirect notice for class members who could not be given direct notice including print publication, settlement class website, press release, and social media); *In re Optical Disk Drive Prods. Antitrust Litig.*, [2016 WL 7364803](#), at \*3 (N.D. Cal. Dec. 19, 2016) (approving notice consisting of email, settlement website, toll-free number, publication notice, press release, text link advertising, banner advertising, and advertising on Facebook and Twitter); *Manual* § 21.312 (“Posting notices and other information, on the Internet, publishing short, attention-getting notices in newspapers and magazines, and issuing public service announcements may be viable substitutes for . . . individual notice if that is not reasonably practicable.”).

discretion over the amount of fees to be awarded, *see Piambino v. Bailey*, 757 F.2d 1112, 1139-42 (11th Cir. 1985); *In re Sunbeam Sec. Litig.*, 176 F. Supp. 2d 1323, 1329 (S.D. Fla. 2001), the class notice could not with certainty disclose the amount of fees that would ultimately be awarded or the amount that would remain in the fund after those fees are paid. Identifying a maximum amount of fees to be requested is sufficient, and that is what happened here. *See Doc. 739-2 at 270* & Settlement Website FAQ 22; *see also Carter*, 2016 WL 3982489, at \*7 (approving notice where it informed class members that class counsel would be seeking “up to \$9 million in fees”). Moreover, class counsel’s motion for fees was posted on the settlement website when it was filed on October 29, 2019, giving class members the ability to learn exactly what class counsel requested well before the deadline to opt out or object.

#### **G. Objections To The Claims Procedures.**

The Court overrules the objections regarding claims procedures, specifically those objections stating that: (1) the procedure for claiming the alternative reimbursement compensation is confusing and unfair; (2) the requirement that time spent and actual out-of-pocket losses be “fairly traceable” to the data breach will disallow valid claims; (3) the call center was unhelpful and inadequately staffed early in the claims period; and (4) the claims procedure presents “too many hoops to jump through” to submit a claim.

Some objectors argue that the claims process improperly “channels” class members toward electing credit monitoring as the only form of relief because too many class members have elected alternative compensation. Perhaps because of the inaccurate public reporting suggesting that only \$31 million is available to pay claims, these objectors misunderstand the settlement. Credit monitoring or alternative reimbursement compensation is not the only available relief. Further, class members are not told the form of relief that they must choose, but are given adequate and appropriate information so they can make up their own minds. That class members were told alternative compensation claimants likely would receive a small percentage of \$125 is accurate. To keep that information from class members would not have been appropriate.

Some objectors argue that they did not receive the supplemental email providing enhanced information about the alternative compensation benefit, but that is no reason to upend the settlement—especially where those class members will have an opportunity to address any claims deficiencies as part of the agreed-upon claims review process.<sup>47</sup> *See, e.g., Home Depot*, [2016 WL 6902351](#), at \*5 (rejecting objections from class members who claimed they did not receive subsequent email

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<sup>47</sup> According to class counsel and the claims administrator, any claimants who did not respond to the supplemental email notice or otherwise take action will be routed through the regular deficiency process for claims validation, which provides them an opportunity to address any deficiencies with their claims. *See* Settlement Agreement § 8.5.

notice). Further, this information was on the settlement website, which was available to all class members.

Other objectors argue that requiring class members to provide the name of their current credit monitoring provider to claim alternative compensation is unfair. But the settlement agreement clearly and unambiguously requires class members claiming that benefit to “identify the monitoring service” that they have in place to ensure they are eligible for that benefit. *See* Settlement Agreement § 7.5. And, there is nothing unfair about requiring a claimant to meet the eligibility requirements for a particular benefit. *See Manual* § 21.66 (“Class members must usually file claims forms providing details about their claims and other information needed to administer the settlement.”).

Other objectors argue that the settlement’s “fairly traceable” requirement for reimbursement of out-of-pocket losses and time spent on the data breach will work to disallow valid claims. But to pursue a claim in court, a plaintiff must demonstrate that his or her injuries are “fairly traceable” to the challenged conduct of the defendant. *See Lujan v. Defenders of Wildlife*, 504 U.S. 555, 561 (1992). Settlement is no different; thus courts in other data breach cases have upheld similar requirements. *See, e.g., Premera*, 2019 WL 3410382, at \*22 (providing reimbursement for “proven out-of-pocket damages that can plausibly be traced to the Data Breach”); *Home Depot*, 2016 WL 6902351, at \*4 (requiring “Documented

Claims” to claim monetary relief).

Some objectors argue that the call center was unhelpful early in the claims period. But the settlement provides reasonable procedures and allocates sufficient funds to ensure that the call center was adequately staffed (indeed, more than one hundred operators were on call at times early in the claims period) and the staff is trained to help class members with questions relating to the proposed settlement. *See* App. 4, ¶¶ 37-41. Beyond that, class counsel were available to respond to class member inquiries and routinely responded to class member emails and phone calls. *See* App. 1, ¶ 69. While frustration with a call center is familiar to most people who exist in the modern world, the Court sees no indication of a pervasive problem here that in any way affects the fairness of the settlement or the claims procedure. That so few class members made this objection despite the massive number of calls that the call center has handled is further testament that any problems were not material.

Several objectors also claim that there are “too many hoops to jump through” in order to submit a claim. But completion and documentation of the claim form are no more burdensome than necessary and similar claims procedures are routinely required in other settlements. *See, e.g., Jackson’s Rocky Ridge Pharmacy, Inc. v. Argus Health Sys., Inc.*, [2007 WL 9711416](#), at \*2 (N.D. Ala. June 14, 2007) (“[E]ach class member who seeks damages from the settlement fund must file and substantiate its claim. This requirement is no more onerous than that to which each of the class



members would have been subjected had they filed a separate lawsuit against the defendant and prevailed on the substantive claim.”); *Manual* § 21.66 (“Class members must usually file claims forms providing details about their claims and other information needed to administer the settlement. . . . Verification of claims forms by oath or affirmation . . . may be required, and it may be appropriate to require substantiation of the claims. . . .”). The robust number of claims is further evidence that the process was not unduly burdensome.

Some objectors are dissatisfied with the claims period and argue that it is too short to provide relief for potential future harms. The Court concludes that the length of the claims period is reasonable and comparable to, if not longer than, claims periods in other data breach cases. *See, e.g., Home Depot*, [2016 WL 6902351](#) (approving settlement with initial claims period of 150 days); *Premiera*, [2019 WL 3410382](#), at \*26 (ordering initial claims period of 150 days); *Anthem*, [327 F.R.D. at 325](#) (overruling objections that a one-year claims period was too short because there is a risk of proving harm that has not yet occurred at trial and because settlement provided protections against future identity fraud). The proposed settlement provides class members with six months to claim benefits for losses already sustained and does not require claims to be filed to access identity restoration services. If money remains in the fund after the initial claims period, class members can file claims in the extended claims period, which provides an additional four years to recover for

losses that have not yet occurred. Beyond that, credit monitoring and identity restoration services will allow class members to monitor and help safeguard their information for several more years. The Court views these periods as entirely fair and reasonable and calculated to equitably deliver relief to members of the settlement class.

#### **IV. PLAINTIFFS' MOTION FOR ATTORNEYS' FEES, EXPENSES, AND SERVICE AWARDS TO THE CLASS REPRESENTATIVES.**

Plaintiffs request that the Court award a \$77.5 million fee as provided in the settlement agreement. The Court finds that the requested fee is reasonable under the percentage approach, which is the exclusive method in this Circuit for calculating fees in a common fund case such as this one. A lodestar crosscheck, though not required, also supports the requested fee.

##### **A. The Requested Fee Is Reasonable Under The Percentage Method.**

The controlling authority in the Eleventh Circuit is *Camden I Condominium Association, Inc. v. Dunkle*, [946 F.2d 768, 774-75](#) (11th Cir. 1991), which holds that fees in common fund cases must be calculated using the percentage approach. *Camden I* does not require any particular percentage. *See id.* (“There is no hard and fast rule ... because the amount of any fee must be determined upon the facts of each case.”); *see also, e.g., Waters v. Int’l. Precious Metals Corp.*, [190 F.3d 1291, 1294](#) (1999). Typically, awards range from 20% to 30%, and 25% is considered the “benchmark” percentage. *Camden I*, [946 F.2d at 775](#). The Eleventh Circuit has

instructed that, to determine the appropriate percentage to apply in a particular case, a district court should analyze the *Johnson* factors derived from *Johnson v. Ga. Highway Express, Inc.*, [488 F.2d 714, 717-19](#) (5th Cir. 1974), as well any other pertinent considerations. *Camden I*, [946 F.2d at 775](#).

The \$77.5 million requested fee is 20.36% of the \$380.5 million *minimum* settlement fund. Under the controlling authority cited above, the requested fee is reasonable as a percentage of the non-reversionary fund alone. However, the minimum amount of the settlement fund is not the true measure of all the benefits, monetary and non-monetary, available to the class under the settlement. The class benefit also includes: (1) an additional \$125 million that Equifax will pay if needed to satisfy claims for out-of-pocket losses; (2) the consent order requiring Equifax to pay at least \$1 billion for cybersecurity and related technology and comply with comprehensive standards to mitigate the risk of another data breach involving class members' personal data; (3) the value of the opportunity to receive ten years of free credit monitoring for all class members (which would cost each class member \$1,920 to buy at its retail price); (4) the value of seven years of identity restoration services available to all class members; and (5) the value of a ban on the use by Equifax of arbitration clauses in some circumstances.<sup>48</sup> In assessing a fee request,

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<sup>48</sup> In addition to these benefits provided under the settlement, certain settlement class members also benefited from an additional year of credit monitoring services, known

the Court may also consider all of these benefits. *See, e.g., Camden*, 946 F.2d at 775; *Poertner v. Gillette Co.*, 618 F. App'x 624, 629 (11th Cir. 2015), *cert. denied sub nom. Frank v. Poertner*, 136 S. Ct. 1453 (2016) (district court did not abuse its discretion by “including the value of the nonmonetary relief ... as part of the settlement pie”).

When these other benefits are considered, the percentage of the class benefit the requested fee represents is much less than 20.36%.<sup>49</sup> For example, the requested fee is 15.3% of the \$380.5 million fund plus the additional \$125 million available to pay out-of-pocket claims. The requested fee is only 5% of those amounts plus the \$1 billion that Equifax is required to spend for cybersecurity and related technology and it is less than 1% when the retail value of the credit monitoring services already claimed by class members is included. These figures demonstrate that using 20.36% in the calculation of a percentage-based fee is conservative as it does not account for all of the settlement's benefits, but that percentage nonetheless will be the focus of the Court's analysis because if a 20.36% award is reasonable, as it is, then there can

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as IDnotify, provided to class members who previously enrolled in the TrustedID Premier services offered by Equifax following the data breach. *See* Settlement Agreement § 4.3.

<sup>49</sup> For the same reasons, even if the Court calculated the percentage of the fund based upon the size of the fund specified in the term sheet rather than the ultimate settlement (25% of \$310 million), that percentage would be reasonable, and the presence of all the other ingredients in the “settlement pie” drive the requested fee well below the benchmark.

be no question that a smaller percentage is also reasonable.

The percentage of the class benefit represented by the requested fee is supported by the factors that the Eleventh Circuit has directed be used in assessing the reasonableness of a fee request, including the *Johnson* factors. There are twelve *Johnson* factors:

(1) the time and labor required; (2) the novelty and difficulty of the relevant questions; (3) the skill required to properly carry out the legal services; (4) the preclusion of other employment by the attorney as a result of his acceptance of the case; (5) the customary fee; (6) whether the fee is fixed or contingent; (7) time limitations imposed by the clients or the circumstances; (8) the results obtained, including the amount recovered for the clients; (9) the experience, reputation, and ability of the attorneys; (10) the “undesirability” of the case; (11) the nature and the length of the professional relationship with the clients; and (12) fee awards in similar cases.

*George v. Academy Mortgage Corp. (UT)*, 369 F. Supp. 3d 1356, 1376 (N.D. Ga. 2019). Other relevant factors include the number of objections from class members, the risks undertaken by class counsel, and the economics of handling class actions. *Champs Sports*, 275 F. Supp. 3d at 1356; *Camden I*, 946 F.2d at 775. The Court does not analyze two of the *Johnson* factors, the undesirability of the case and the nature of the attorney-client relationship, due to their limited applicability here. The Court addresses the other factors below.

(1) *The Time and Labor Involved*

The Court has observed the intensive amount of time and labor required to prosecute the claims in this case. Class counsel and those under their direction have

spent over 33,000 hours prosecuting this action. The vast majority of the work was done by class counsel and other firms the Court appointed to the plaintiffs' steering committee. The work was allocated to those able to do the work most efficiently. Class counsel also estimate they will spend at least another 10,000 hours over the next seven years in connection with final approval, managing the claims process, and administering the settlement. The Court finds that the work that class counsel have done and estimate they will do is reasonable and justified in view of the issues, the complexity and importance of the case, the manner in which the case was defended, the quality and sophistication of Equifax's counsel, the result, the magnitude of the settlement and the number of claims. Moreover, the amount of work devoted to this case by class counsel likely was a principal reason that they were able to obtain such a favorable settlement at a relatively early stage. This factor weighs in favor of approval of the requested fee.

(2) *The Novelty and Difficulty of the Questions*

Although many of the plaintiffs' claims were able to survive a motion to dismiss, their path forward remained difficult. The law in data breach litigation remains uncertain and the applicable legal principles have continued to evolve, particularly in the State of Georgia, where protracted appellate litigation in two other data breach cases while this case has been pending demonstrate the unsettled state of the law. *See McConnell*, 828 S.E.2d at 352; *Collins v. Athens Orthopedic Clinic*,

815 S.E.2d 639 (Ga. Ct. App. 2018), *rev'd* \_\_\_\_ Ga. \_\_\_\_ (Dec. 23, 2019). As a result, this case involved many novel and difficult legal questions, such as the threshold issue of whether Equifax had a duty to protect plaintiffs' personal data, whether plaintiffs' alleged injuries are legally cognizable and were proximately caused by the Equifax breach, the applicability of the FCRA to a data breach at a major credit reporting agency, the meaning of various state consumer protection statutes, and other issues briefed by the parties in connection with Equifax's motion to dismiss. These would be recurring issues throughout the litigation if the settlement is not approved.

Other novel and difficult questions in this case resulted from the sheer size of the litigation, the number of Americans impacted by the breach, and the highly technical nature of the facts. Determining and proving the cause of the breach and developing cybersecurity measures to prevent a recurrence were particularly challenging. The plaintiffs' lawyers also confronted unusual circumstances and a dearth of legal guidance or governing precedent when they engaged in extensive negotiations with federal and state regulators after reaching a binding term sheet with Equifax. This factor strongly weighs in favor of the requested fee request.

(3) *The Skill Requisite to Perform the Legal Services Properly and the Experience, Reputation, and Ability of the Lawyers*

This case required the highest level of experience and skill. Plaintiffs' legal team includes lawyers from some of the most experienced and skilled class action

law firms in the country who have collectively handled more than 50 data breach cases, including all of the most significant ones. Their experience and skill was needed given the scope of the case and the quality of the opposition. The lawyers who represented Equifax are highly skilled and come from several of the nation's largest corporate defense firms. Moreover, Judge Phillips has noted that "the settlement is the direct result of all counsel's experience, reputation, and ability in complex class actions including the evolving field of privacy and data breach class actions." [[Doc. 739-9](#), ¶ 15]. The Court can also attest to the high level of zealous, diligent advocacy demonstrated throughout this case. These factors weigh in favor of the requested fee.

(4) *The Preclusion of Other Employment*

Given the demand for their services attributable to their high level of skill and expertise, but for the time and effort they spent on this case the plaintiffs' lawyers would have spent significant time on other matters. Further, by necessity given its nature, the bulk of the work was done by a relatively small number of senior lawyers, and demanded their full attention. As described above, their focus on this case likely served as the principal reason that the case was able to settle favorably, further weighing in support of the requested fee.

(5) *The Customary Fee*

The percentage used to calculate the requested fee is substantially below the



percentages that are typically charged by lawyers who handle complex civil litigation on a contingent fee basis, which customarily range from 33.3% to 40% of the recovery.

(6) *Whether the Fee is Fixed or Contingent*

“A contingency fee arrangement often justifies an increase in the award of attorneys’ fees.” *Behrens*, 118 F.R.D. at 548. A larger award is justified because if the case is lost a lawyer realizes no return for investing time and money in the case. *See In re Friedman’s, Inc. Sec. Litig.*, 2009 WL 1456698, at \*3 (N.D. Ga. May 22, 2009). As discussed above, the novel and difficult questions present in this case heightened this concern here. This action was prosecuted on a contingent basis and thus a larger fee is justified.

(7) *Time Limitations Imposed by the Client or the Circumstances*

Priority work done under significant time pressure is entitled to additional compensation and justifies a larger percentage of the recovery. *See, e.g., Johnson*, 488 F.2d at 718; *Allapattah Servs., Inc. v. Exxon Corp.*, 454 F. Supp. 2d 1185, 1215 (S.D. Fla. 2006). At various times during this litigation, class counsel were forced to work under significant time pressure, such as when they had to vet thousands of potential class representatives in a short period to meet the Court’s deadline for filing a consolidated amended complaint and during the several months they spent negotiating with Equifax and federal and state regulators leading up to finalizing the

settlement. During critical periods, class counsel spent as much as 2,000 hours a month or more. This factor thus supports an increased award.

(8) *The Amount Involved and the Results Obtained*

This is the largest data breach settlement in history. The \$380.5 million fund alone is more than the total recovered in all consumer data breach settlements in the last ten years.<sup>50</sup> Further, class members are eligible for an unprecedented package of benefits, including but not limited to cash compensation for out-of-pocket losses fairly traceable to the breach of up to \$20,000 per class member, reimbursement for time spent as a result of the breach, and 25% of the amount paid to Equifax by class members for identity protection services in the year prior to the breach; ten years of high quality credit monitoring services having a retail value of \$1,920 per class member; and seven years of identity restoration services without the need to file a claim.

In addition, Equifax has agreed to a consent order requiring it to comply with comprehensive cybersecurity standards, spend at least \$1 billion on data security and related technology, and have its compliance audited by independent experts. Violations of the consent order are subject to this Court's enforcement power. This

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<sup>50</sup> Contrary to the arguments of some objectors, the size of the settlement fund is not just a matter of scale. For instance, the settlement is larger on a per capita basis than the *Anthem* settlement, which resulted in a \$115 million fund for a class of 80 million individuals.

injunctive relief provides a substantial benefit to all class members, and exceeds what has been achieved in other data breach settlements.

Finally, as noted, class counsel negotiated an innovative notice program to effectively inform and engage class members, and a robust claims process to facilitate and increase class member participation. The notice program and claims process are both a direct benefit to the class.

In short, the results obtained—which are in the high range of potential recoveries and in some instances may exceed what could be achieved at trial—weigh strongly in favor of the requested fee.

(9) *Awards in Similar Cases*

The requested fee is in line with—if not substantially lower than—awards in other class actions that have resulted in similarly impressive settlements. Even if the fee is based only on the cash fund, ignoring all other monetary and non-monetary benefits, the 20.36% that the requested fee represents is below the 25% benchmark recognized in *Camden I* and substantially less than has been awarded in similar cases, including specifically other data breach cases. *See, e.g., In re Arby's Rest. Grp., Inc. Data Sec. Litig.*, [2019 WL 2720818](#), at \*4 (N.D. Ga. June 6, 2019) (awarding a fee of approximately 30% and noting that “[a]wards of up to 33% of the common fund are not uncommon in the Eleventh Circuit, and especially in cases where Class Counsel assumed substantial risk by taking complex cases on a

contingency basis.”); *Home Depot*, [2016 WL 11299474](#), at \*2 (awarding a fee in the consumer track of “about 28% of the monetary benefit conferred on the Class.”); *Home Depot*, No. 1:14-MD-02583-TWT ([Doc. 345 at 4](#)) (using one-third of the benefit in percentage-based calculation in the financial institution track); *Target*, [2015 WL 7253765](#), at \*3, *rev’d and remanded on other grounds*, [847 F.3d 608](#) (awarding 29% of the monetary payout).

Empirical studies also show that fees in other class action settlements are substantially higher than the requested fee. *See, e.g.*, Theodore Eisenberg, Geoffrey Miller & Roy Germano, *Attorneys’ Fees in Class Actions: 2009–2013*, 92 N.Y.U. L. Rev. 937, 947, 951 (2017) (finding that in the Eleventh Circuit the average fee was 30% and median fee was 33% from 2009 through 2013); Brian T. Fitzpatrick, *An Empirical Study of Class Action Settlements and Their Fee Awards*, 7 J. Empirical Legal Stud. 811, 836 (2010) (finding, in the Eleventh Circuit for 2006–2007 period of the study, the average fee was 28.1% and the median fee was 30%).

#### (10) *The Number of Objections*

Only 38 of the 147 million class members objected to the requested fee. This number represents 0.000026 percent of the class or just 1 of every 3.9 million class members. The extremely small number of objectors is further evidence of the reasonableness of the requested fee. *See, e.g.*, *Home Depot*, [2016 WL 6902351](#), at \*4 (objections from an “infinitesimal percentage” of the class “indicates strong

support” for the settlement).

(11) *The Risk Undertaken by Class Counsel*

The plaintiffs’ lawyers undertook extraordinary litigation risk in pursuing this case and investing as much time and effort as they did. The Court is familiar with data breach litigation and appreciates that this was undeniably a risky case when it was filed. It is even riskier today, as demonstrated by recent authority. *See, e.g., McConnell*, 828 S.E.2d at 352 (Ga. 2019); *Adkins v. Facebook*, 2019 WL 7212315, at \*9 (N.D. Cal. Nov. 26, 2019) (granting motion to certify injunctive-only class but denying motion to certify damages class and issues class in data breach case).

Based on these factors, the Court finds the award of attorneys’ fees in the amount of \$77.5 million is appropriate under the percentage of the fund approach. The Court has considered and hereby overrules all of the objections to the requested fees as described below.

*First*, most of the objections to the motion for fees are conclusory, do not provide any legal support for why a lower fee should be awarded, or are based on a misunderstanding about the terms of the settlement. These objections can be summarily rejected. *See, e.g., In re Bear Stearns Cos., Inc. Sec., Derivative, & ERISA Litig.*, 909 F. Supp. 2d 259, 264 n.3 (S.D.N.Y. 2012).

*Second*, one objector, John Davis, argues that the fee must be calculated using the lodestar method because he disagrees with *Camden I* and claims that the case is

no longer good law in light of *Perdue v. Kenny A. ex rel. Winn*, 559 U.S. 542 (2010). (Doc. 879-1 at 8-10). This argument is frivolous. *Camden I* is binding precedent. And, *Perdue*, which construes a fee-shifting statute, does not apply in a common fund case such as this one. See *In re Home Depot, Inc. Customer Data Sec. Breach Litig.*, 931 F.3d 1065, 1084-85 (11th Cir. 2019).

*Third*, several class members do not object to the fee amount, but to its payment from the settlement fund. According to these objectors, the Court should punish Equifax by ordering the company to pay the fees separately. But this Court cannot order Equifax to pay more. See, e.g., *Howard v. McLucas*, 597 F. Supp. 1504, 1506 (M.D. Ga. 1984) (“[T]he court’s responsibility to approve or disapprove does *not* give this court the power to force the parties to agree to terms they oppose”) (emphasis in original). And, having created a common fund, class counsel are entitled to be paid from the fund.

*Fourth*, two other objections—one by Mikell West and the other by Frank and Watkins—contend that the fee should be no more than 10% of the class benefit because class counsel allegedly faced little risk, the case settled within two years, and awards in cases involving “megafund” settlements do not justify a higher percentage. As stated above, the Court disagrees with the assertion that plaintiffs had little risk. To the contrary, class counsel faced extraordinary risk, which the objectors unreasonably and erroneously discount. Further, penalizing class counsel for

achieving a settlement within two years would work against the interests of the class and undercut the judicial policy favoring early settlement. *See, e.g., Markos v. Wells Fargo Bank, N.A.*, [2017 WL 416425](#), at \*4 (N.D. Ga. Jan. 30, 2017); *In re Checking Acct. Overdraft Litig.*, [830 F. Supp. 2d at 1362](#).

Their argument that the requested fee is too large because this case involves a megafund settlement—often defined as a settlement in excess of \$100 million—also is unpersuasive. When all of the settlement benefits are properly included the value of the settlement is in the several billions of dollars, meaning the requested fee is less than the 10% that the two objectors contend is appropriate. In arguing otherwise, the objectors improperly discount all of the settlement benefits except the \$380.5 million fund, including specifically all of the settlement’s non-monetary benefits.<sup>51</sup> *See Poertner*, [618 F. App’x at 630](#) (rejecting an objection by Frank that the requested fee was too large because he improperly limited the monetary value of the settlement and disregarded the settlement’s substantial non-monetary benefits, which he

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<sup>51</sup> Under the percentage approach, “courts compensate class counsel for their work in extracting non-cash relief from the defendant in a variety of ways.” *In re Checking*, [2013 WL 11319244](#), at \*12. If the non-monetary relief can be reliably valued, courts can include such relief in the fund and award counsel a percentage of the total. *Id.*; *George*, [369 F. Supp. 3d at 1379-80](#); *see also Poertner*, [618 F. App’x at 628-29](#). If it cannot be reliably valued, such relief is a factor in selecting the right percentage. *See, e.g., Camden I*, [946 F.2d at 774-775](#). Accordingly, in this case, even if the non-monetary benefits to the class could not be valued with precision, those benefits—which are undeniably substantial—would certainly justify awarding class counsel 20.36% of the cash fund.

wrongly claimed were illusory).

Even if calculated only as a percentage of the \$380.5 million fund, the requested fee of 20.36% is justified notwithstanding the size of the settlement. Likewise, even if the Court considered only the \$310 million fund created under the parties' term sheet, a 25% fee would be justified. The Court is unaware of any *per se* rule that a reduced percentage must be used in a "megafund" case and declines to create one now. Additionally, other courts have criticized the use of a reduced percentage in such a case because, among other things, the practice undercuts a major purpose of the percentage approach in aligning the interests of the class and its lawyers in maximizing the recovery. Such a rule might also discourage early settlements, and it fails to appreciate the immense risk presented by large, complex cases. *See, e.g., In re Cendant Corp. Litig.*, 264 F.3d 201, 284 n.55 (3d Cir. 2001); *Allapattah*, 454 F. Supp. 2d at 1213; *In re Checking*, 830 F. Supp. 2d at 1367; *Syngenta*, 357 F. Supp. 3d at 1114.

Regardless, the objectors overemphasize the importance of the settlement's size. Under *Camden I*, this Court must base its award on an evaluation of all of the *Johnson* factors, not just the factor involving awards in other cases. The Court's evaluation of those factors in light of the particular facts and circumstances of this case, as discussed above, would support using a percentage higher than the 25% benchmark and certainly higher than the 20.36% requested here. Indeed, the lowest



fee awarded in the other data breach cases cited above was 27%. That class counsel are not requesting a much higher fee here akin to that awarded in other cases suggests that they have already accounted for the settlement's size by agreeing to accept a reduced percentage.

The objectors, furthermore, are simply wrong in asserting that no more than 10% is typically awarded in megafund cases.<sup>52</sup> In *Anthem*, which involved a \$115 million settlement fund, the court surveyed awards in other large settlements and concluded: “a percentage of 27% appears to be in line with the vast majority of megafund settlements.” *Anthem*, [2018 WL 3960068](#), at \*15. Further, none of the three authorities relied upon by the objectors justify the conclusion that no more than a 10% fee is appropriate here. The empirical study the objectors cite does not support that conclusion, according to Professor Geoffrey Miller, one of its co-authors.<sup>53</sup> To the contrary, the study's data set shows that, in cases with settlements between \$325 million and \$425 million (the range in which the cash portion of this case falls), the mean percentage was 19.7%—remarkably close to the percentage requested here.

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<sup>52</sup> Class counsel have cited at least 40 cases involving settlements in excess of \$100 million in which a fee of more than 25% has been awarded, including several such cases in this Circuit. *See, e.g., Allapattah Services, Inc. v. Exxon Corp.*, [454 F. Supp. 2d 1185](#) (S.D. Fla. 2006) (31.33% of a \$1.06 billion fund); *In re Checking Account Overdraft Litig.*, [830 F. Supp. 2d 1330](#) (S.D. Fla. 2011) (30% of a \$410 million fund); *In re Sunbeam*, [176 F. Supp. 2d 1323](#) (25% of a \$110 million fund).

<sup>53</sup> Theodore Eisenberg and Geoffrey Miller, *Attorneys' Fees and Expenses in Class Action Settlements: 1993-2008*, 7 *Journal of Empirical Legal Studies* 248 (2010).

(Doc. 900-3, ¶¶ 16-17). In *Carpenters Health & Welfare Fund v. The Coca-Cola Co.*, 587 F. Supp. 2d 1266 (N.D. Ga. 2008), the court awarded a 21% fee. And, in *In re Domestic Air*, 148 F.R.D. at 350-51, the court relied upon pre-1991 research, which conflicts with the findings of more recent studies.

*Fifth*, objectors West, Frank and Watkins argue that the \$70.5 million added to the settlement fund at the request of federal and state regulators did not result from class counsel's efforts and thus class counsel are not entitled to receive a percentage of the additional amount. This argument fails as a factual matter because it assigns no credit to class counsel's efforts and their agreement to integrate the additional money into the settlement they negotiated. While regulators may have been the initial catalyst for the extra funds, the money would not have been added to the settlement fund but for class counsel's efforts. Class counsel spent months negotiating with Equifax on the proposed changes so that the additional funds could be incorporated without having any potential adverse impact to the class.

Thus, without minimizing the role played by the regulators, class counsel were ultimately responsible for integrating the increased funds into the settlement they negotiated and are entitled to compensation for their efforts. The Court also notes that class counsel have not sought any increased fees relative to what they agreed to request in the term sheet, so they are not attempting to use the extra money as a basis for an additional fee request. Basing the percentage off the \$380.5 million rather

than \$310 million simply recognizes the reality of the size of the non-reversionary fund to which the parties ultimately agreed. Treating the calculation differently would penalize class counsel after they spent thousands of hours in the negotiations with Equifax and regulators to integrate the \$70.5 million into the settlement without adverse consequences for the class.

*Sixth*, objectors Frank and Watkins argue that the notice and administration costs to be paid out of the settlement fund should be excluded from the class benefit for fee purposes. The Court disagrees. It has long been the practice in this Court to use the gross amount of a common fund in calculating a percentage-based fee award without deducting the costs of notice or administration. *See, e.g., George*, 369 F. Supp. 3d at 1375; *Champs Sports*, 275 F. Supp. 3d at 1356; *In re Domestic Air*, 148 F.R.D. at 354; *see also Arby's*, 2019 WL 2720818, at \*2 (including notice and administration claims in the class benefit even though paid separately by the defendant). That is because notice and administration costs inure to the benefit of the class. *Id.* Similar arguments have been rejected before. *See, e.g., In re Domestic Air*, 148 F.R.D. at 354; *In re Online DVD-Rental Antitrust Litig.*, 779 F.3d 934, 953 (9th Cir. 2015); *Caliguiri v. Symantec Corp.*, 855 F.3d 860, 865 (8th Cir. 2017); *Anthem*, 2018 WL 3960068, at \*8-9.<sup>54</sup> And, there is a particularly good reason for

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<sup>54</sup> The main case on which Frank and Watkins rely, *Redman v. RadioShack Corp.*, 768 F.3d 622, 630 (7th Cir. 2014), is readily distinguishable. *Redman* involved a

rejecting the argument here. Because an additional \$125 million is available to pay out-of-pocket claims, notice and administration costs will not diminish the fund except in the unlikely event that both the fund and the extra \$125 million are exhausted.

*Seventh*, objectors West, Frank and Watkins improperly discount the value of the credit monitoring offered under the settlement for purposes of calculating a fee. West does not recognize it has any value beyond the cost to be paid from the fund for the first seven million claims. Frank and Watkins argue it is not even worth that, asserting its true value is only \$15 million (\$5 per class member multiplied by the roughly three million claims they assert have been made to date) because free credit monitoring is widely available and class members allegedly prefer alternative compensation. The objectors also discount the value of the injunctive relief class counsel obtained. The Court disagrees.

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coupon settlement, the proposed fee could be justified only by including notice and administration in the class benefit, and the court was concerned that class counsel thus would have a “perverse” incentive to increase those costs to justify a larger fee. This settlement does not include coupons, costs will be paid from a non-reversionary fund, there is an additional \$125 million to pay out-of-pocket claims if the fund is exhausted, and class counsel selected the providers after a competitive bidding process. Moreover, adopting the *Redman* approach on these facts would incentivize counsel to cut corners on notice and administration, hurting the class by lowering its awareness and participation and hindering the claims process. Unsurprisingly, other courts have declined to follow *Redman*. See, e.g., *Keil v. Lopez*, 862 F.3d 685, 704 (8th Cir. 2017); *McDonough v. ToysRUs, Inc.*, 80 F. Supp. 3d 626, 654 n.27 (E.D. Pa. 2015).

As discussed earlier, the record shows that the high-quality credit monitoring offered here is more valuable than the free or low-cost services typically available. Moreover, courts have often recognized the benefit of credit monitoring, use its retail cost as evidence of value, and consider that value in awarding fees. *See, e.g., Chakejian v. Equifax Info. Servs., LLC*, 275 F.R.D. 201, 218 (E.D. Pa. 2011) (overruling an objection that the settlement offered “worthless credit monitoring services that no one wants” and valuing the services at their retail price in awarding a fee); *In re TJX Companies Retail Sec. Breach Litig.*, 584 F. Supp. 2d 395, 409 (D. Mass. 2008) (the class-wide, \$177 million retail value of the credit monitoring was “a benchmark against which to measure the award of attorneys’ fees”); *Home Depot*, 2016 WL 6902351, at \*4; *Hutton v. Nat’l. Bd. of Exam’rs in Optometry, Inc.*, 2019 WL 3183651, at \*7 (D. Md. Jul. 15, 2019); *Hillis v. Equifax Consumer Servs., Inc.*, 2007 WL 1953464, at \*4 (N.D. Ga. June 12, 2007); *Anthem*, 2018 WL 3960068, at \*11.<sup>55</sup>

The Court also disagrees with the objectors’ contention that there is no value

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<sup>55</sup> Even assuming that the credit monitoring offered is worth less to class members than its retail price, the credit monitoring is certainly worth more than its discounted, wholesale cost to Equifax. *See Anthem*, 2018 WL 3960068, at \*7. And even valued at that cost, the credit monitoring available to the entire class under the settlement would far exceed what the objectors claim it is worth. Indeed, that cost alone (several billion dollars at a minimum) would more than justify the requested fee. *See generally Waters*, 190 F.3d at 1297 (class counsel are entitled to a reasonable fee based on the funds potentially available to be claimed, regardless of the amount actually claimed); *see also Poertner*, 618 F. App’x at 629-30, n.2.

for fee purposes in the comprehensive injunctive relief provided under the settlement, including the requirement that Equifax spend a minimum of \$1 billion on data security and related technology. Courts routinely consider the presence of similar business practice changes to be a factor in the fee analysis. *See, e.g., Anthem*, [2018 WL 3960068](#), at \*28 (mandatory minimum expenditure for cybersecurity was “properly considered in determining an appropriate attorneys’ fees award”); *Ingram*, [200 F.R.D. at 689-90](#) (programmatic changes to reduce racial discrimination supported an upward adjustment from the benchmark); *see generally Home Depot*, [2016 WL 6902351](#), at \*4 (two years of enhanced cybersecurity measures was a valuable class benefit).

The Court specifically finds that the injunctive relief class counsel obtained here is a valuable benefit to the class because it reduces the risk that their personal data will be compromised in a future breach. That Equifax may also benefit makes no difference. Similarly, that Equifax agreed to the injunctive relief to avoid litigation risk does not mean class counsel have no entitlement to a fee; rather, Equifax’s motivation is what triggers class counsel’s entitlement. *See Poertner*, [618 F. App’x at 629](#) (rejecting a similar objection by Frank and holding that the defendant’s business practice changes were a settlement benefit because the changes were “motivated by the present litigation”).

In short, the requested fee is well-justified under the percentage method, and

the objections to the fee are overruled.

**B. A Lodestar Cross-Check, If Done, Supports The Requested Fee.**

The Eleventh Circuit has authorized courts to use the lodestar method as a cross-check on the reasonableness of a percentage-based fee, but such a cross-check is not required. *See, e.g., Waters*, [190 F. 3d at 1298](#). In fact, a cross-check can re-introduce the same undesirable incentives the percentage method is meant to avoid and for that reason courts regularly award fees without discussing lodestar at all. *In re Checking*, [830 F. Supp. 2d at 1362](#); *Champs Sports*, [275 F. Supp. 3d at 1350](#).

In this case, the Court does not believe that a lodestar cross-check is necessary or even beneficial. Nonetheless, the requested fee easily passes muster if a cross-check is done.

As of December 17, 2019, plaintiffs' counsel spent 33,590.7 hours on this litigation. Class counsel documented the time expended in detailed records filed *in camera* with the Court, and they personally reviewed more than 21,000 time entries and excluded 3,272.9 hours as duplicative, unauthorized, of insufficient benefit, or inconsistent with the billing protocol that they established at the outset of the litigation. Plaintiffs' counsel's lodestar up to the final approval hearing, including the reviewed time, amounts to \$22,816,935. In addition to time spent through final approval, class counsel estimate they will spend 10,000 hours over the next seven years to implement and administer the settlement. This time has an expected value



of \$6,767,200. The Court finds that this estimate is reasonable. Class counsel's current and future lodestar thus totals \$29,584,135.

When the lodestar approach is used in common fund cases, courts typically apply a multiplier to reward counsel for their risk, the contingent nature of the fee, and the result obtained. Here, the requested fee represents class counsel's lodestar (including future time) plus a multiplier of roughly 2.62, which is consistent with multipliers approved in other cases. *See, e.g., Columbus Drywall*, 2012 WL 12540344, at \*5 & n.4 (noting a multiplier of 4 times the lodestar is "well within" the accepted range and citing examples); *Ingram*, 200 F.R.D. at 696 (noting courts apply multipliers ranging from less than two to more than five); *Pinto v. Princess Cruise Lines Ltd.*, 513 F. Supp. 2d 1334, 1344 (S.D. Fla. 2007) (multipliers "'in large and complicated class actions' range from 2.26 to 4.5, while three appears to be the average") (internal quotations omitted).

No objector argues that a lodestar cross-check is mandated, or even explains why this case warrants a cross-check given the reasonableness of the percentage fee being sought. Several objectors, however, dispute various aspects of the cross-check analysis. None of these objections have any merit.

One objector contends hourly rates should be capped at \$500 because most ordinary people earn minimum wage or less than \$20 an hour. The proper comparison, though, is to the prevailing rates in the legal community. By that



standard, class counsel's rates are reasonable. Class counsel supplied substantial evidence that the prevailing rates for complex litigation in Atlanta and around the country are commensurate with or even in excess of the rates applied here and none of the objectors have presented any evidence to the contrary. The Court therefore finds class counsel's rates are reasonable and well supported, including specifically the hourly rates charged by Mr. Barnes (\$1050); Mr. Canfield (\$1000); Ms. Keller (\$750), and Mr. Siegel (\$935).

Several objectors challenge class counsel's time, claiming it is inflated and duplicative, and demand that the Court closely examine the time records and order them to be produced for review by the class. A lodestar cross-check, however, does not require that time records be scrutinized or even reviewed. *See, e.g., Goldberger v. Integrated Res., Inc.*, 209 F.3d 43, 50 (2d Cir. 2000) ("[U]sed as a mere cross-check, the hours documented by counsel need not be exhaustively scrutinized by the district court. Instead, the reasonableness of the claimed lodestar can be tested by the court's familiarity with the case.") (internal citations omitted); *In re Checking*, 2013 WL 11319244, at \*14 (declining to review billing records). Nevertheless, based on its *in camera* review of a sampling of class counsel's records, its familiarity with the litigation, class counsel's declarations regarding their line-by-line review of all entries to remove duplicative and unnecessary time, and other factors, the Court finds that class counsel's time was reasonable and appropriately spent. The Court

also finds that ordering the records be made public would needlessly require the voluminous records to be reviewed and redacted for privileged and confidential material and serve no useful purpose, particularly given the fact that a lodestar cross-check is not required and litigation over specific time entries would be a waste of resources for both the Court and the parties.

One objector claims that estimated future time cannot be considered. Yet, other courts have included future time in lodestar calculations, including this Court in the financial institutions track of the *Home Depot* data breach case. *See Home Depot*, [2017 WL 9605207](#), \*1 (N.D. Ga. Oct. 11, 2017), *aff'd in part and rev'd in part on other grounds*, [931 F.3d 1065, 1082](#) (11th Cir. 2019). Using a reasonable estimate also is appropriate. A cross-check is not intended to involve “mathematical precision.” *In re Rite Aid Corp. Sec. Litig.*, [396 F.3d 294, 306](#) (3d Cir. 2005). And, if the fee was lodestar-based, class counsel would be entitled to file supplemental applications for future time. *See Cassese v. Washington Mut., Inc.*, [27 F. Supp. 3d 335, 339](#) (E.D.N.Y. 2014). Excluding such time thus would misapply the lodestar methodology and needlessly penalize class counsel.

Finally, several objectors argue the proposed multiplier is too high and one claims *Perdue* bars the use of any multiplier. But class counsel have demonstrated that the multiplier is reasonable and within the typical range, and *Perdue* is irrelevant in a common fund fee analysis. *See Home Depot*, [931 F.3d at 1084-85](#).

In sum, a lodestar analysis is not required, but a consideration of the lodestar here only confirms that the requested fee is reasonable.

**C. Reimbursement Of Class Counsel's Expenses.**

The settlement agreement authorizes reimbursement of up to \$3 million in expenses that class counsel reasonably incurred on behalf of the class. Class counsel have incurred \$1,404,855.35 in expenses through December 17, 2019, for such items as court reporter fees; document and database reproduction and analysis; e-discovery costs; expert witness fees; travel for meetings and hearings; paying the mediator; and other customary expenditures. The Court finds that these expenses are reasonable and were necessarily incurred on behalf of the class. Class counsel are thus entitled to be reimbursed for these expenses. *See, e.g., Columbus Drywall*, [2012 WL 12540344](#), at \*7-8.

Two objectors challenge class counsel's expenses. One says the total is simply "too much." The other speculates that some computerized research charges might be overbilled and complains that the "miscellaneous" expense category is not further itemized. Such vague assertions and speculation do not overcome the substantial evidence in the record that all of the expenses were reasonable. Moreover, the expenses are detailed in class counsel's *in camera* submissions to the Court.

**D. The Service Awards Are Appropriate.**

Courts routinely approve service awards to compensate class representatives

for the services they provide and the risks they incur on behalf of the class. *See, e.g., Ingram*, 200 F.R.D. at 695-96; *Allapattah Servs.*, 454 F. Supp. 2d at 1218; *In re Checking*, 2014 WL 11370115, at \*12-13. The settlement agreement provides for a modest service award of \$2,500 to each class representative, who devoted substantial time and effort to this litigation working with their lawyers to prosecute the claims, assembling the evidence supporting their claims, and responding to discovery requests. Simply put, the class representatives were instrumental in achieving a settlement benefitting the entire class. But for their efforts, other class members would be receiving nothing. The Court therefore finds that the service awards are deserved and approves them for payment.

Objector Davis contends the longstanding practice of compensating class representatives for their service is prohibited by two Supreme Court cases from the 1800s. The argument previously has been rejected out of hand because the cases were decided before Rule 23 and involve different facts and circumstances. *See, e.g., Merlito v. Experian Mktg. Sols., Inc.*, 923 F.3d 85, 96 (2d Cir. 2019). Davis also suggests that each class member be required to document the specific amount of time spent on the litigation, but he provides no basis to believe the class representatives did not perform the services described and the amount of time needed for such tasks is necessarily substantial. Further evidence of the class representatives' service thus is unnecessary, particularly given the modest sums involved. *See, e.g., Home Depot*,

2016 WL 11299474, at \*1 (N.D. Ga. Aug. 23, 2016) (awarding modest service awards to 88 class representatives based on a similar description of their service by their counsel).

## V. FINDINGS REGARDING SERIAL OBJECTORS.

“Objectors can play a useful role in the court’s evaluation of the proposed settlement terms. They might, however, have interests and motivations vastly different from other attorneys and parties.” *Manual* § 21.643. The *Manual* goes on to explain:

Some objections, however, are made for improper purposes, and benefit only the objectors and their attorneys (*e.g.*, by seeking additional compensation to withdraw even ill-founded objections). An objection, even of little merit, can be costly and significantly delay implementation of a class settlement. Even a weak objection may have more influence than its merits justify in light of the inherent difficulties that surround review and approval of a class settlement. Objections may be motivated by self-interest rather than a desire to win significant improvements in the class settlement. A challenge for the judge is to distinguish between meritorious objections and those advanced for improper purposes.

*Manual* § 21.643.

The *Manual*’s guidance has been instructive in evaluating the objections received in this case. To be clear, the Court has considered in full the merits of all objections, regardless of whether the objector is a repeat player, and found them to be without merit. “The fact that the objections are asserted by a serial or ‘professional’ objector, however, may be relevant in determining the weight to

accord the objection, as an objection carries more credibility if asserted to benefit the class and not merely to enrich the objector or her attorney.” *In re Syngenta AG MIR 162 Corn Litig.*, 357 F. Supp. 3d 1094, 1104 (D. Kan. 2018) (referring, in part, to objectors and objectors’ counsel here George Cochran and Christopher Bandas). There is sufficient evidence to conclude that certain objectors here are of the “serial” variety.

This Court therefore finds, based on information in the record and otherwise publicly available, that the individuals identified below are serial objectors, that they have unsuccessfully asserted many of the same or similar objections in other class action settlements, that their objections are not in the best interests of the class, that there is no substantial likelihood their objections will be successful on appeal, and that the class would be best served by final resolution of their objections as soon as practicable so that class members can begin to benefit from the settlement:

- Objector George Cochran, an attorney who objects on his own behalf, “is a serial objector to class action settlements, with a history of attempting to extract payment for the withdrawal of objections.” *Syngenta*, 357 F. Supp. 3d at 1104.
- Christopher Bandas, an attorney who represents objector Mikell West, is recognized by federal courts across the country as a “serial objector” who “routinely represents objectors purporting to challenge class action

settlements, and does not do so to effectuate changes to settlements, but does so for his own personal financial gain; he has been excoriated by Courts for this conduct.” *CRT*, 281 F.R.D. at 533; *see also, e.g., Clark v. Gannett Co.*, 122 N.E. 3d 376, 380 (Ill. Ct. App. 2018) (Bandas has “earn[ed] condemnation for [his] antics from courts around the country. Yet, [his] obstructionism continues.”). Moreover, Bandas and his law firm are subject to a permanent injunction issued by a federal judge governing their ability to object in class actions. *Edelson P.C. v. The Bandas Law Firm*, 2019 WL 272812 (N.D. Ill. Jan. 17, 2019). And, because of their history of inappropriate conduct, another federal court recently denied applications for *pro hac vice* admission by Bandas and Robert Clore, his colleague and co-counsel here, which they filed so they could represent an objector. *Cole v. NIBCO, Inc.*, No. 3-13-cv-07871 (D.N.J. Apr. 5, 2019) (Doc. 223) at 2.

- Objector Christopher Andrews, although not an attorney, by his own admission at the final approval hearing has filed objections in about ten class actions. In *Shane v. Blue Cross*, No. 10-cv-14360 (E.D. Mich.), the court found that “many of [Mr. Andrews’] submissions are not warranted by the law and facts of the case, were not filed in good faith and were filed to harass Class Counsel.” App. 1, ¶ 65 & Ex. 7. That court also noted that Mr. Andrews “is known to be a ‘professional objector who has extorted additional fees from

counsel in other cases[.]” *Id.* Additionally, class counsel have submitted an email from Mr. Andrews that calls into question his motivation for objecting in this case. [[Doc. 900-1](#), Ex. 8].

- Objector Troy Scheffler has previously objected to a number of class actions and at least one court has previously found that similar objections to the ones he makes here “have no factual or legal merit.” *Carter*, [2016 WL 3982489](#), at \*13. He also has been paid to withdraw an objection in a similar case. *In re Experian Data Breach Litig.*, No. 15-cv-01592, [Doc. 335](#) (C.D. Cal. July 3, 2019) (approving payment of \$10,000 to Mr. Scheffler and his counsel to drop objection).
- John Davis has a history of objecting in class actions and his involvement as an objector and class representative has been criticized by other courts. In *Muransky v. Godiva Chocalatier*, [2016 WL 11601079](#), at \*3 (S.D. Fla. Sept. 16, 2016), a federal magistrate judge denied an objection similar to the one filed here by Mr. Davis and, in so doing, labeled Davis and others as “professional objectors who threaten to delay resolution of class action cases unless they receive extra compensation.” *See also Davis v. Apple Computer, Inc.*, [2005 WL 1926621](#), at \*2 (Cal. Ct. App. Aug. 12, 2005) (noting that Davis and Steven Helfand, another serial objector who objected here, previously had “confidentially settled or attempted to confidentially settle putative class



actions in return for payment of fees and other consideration directly to them” in apparent violation of court rules.)

- Steven Helfand has a history of improper conduct in class action litigation. *Id.* In 2018, he was accused by the State Bar of California of, among other things, filing an objection in the name of a class member without being authorized by the class member to do so, misleading a court and opposing counsel, settling an objection on appeal without the client’s authorization, misappropriating the settlement proceeds, and other acts of moral turpitude. Notice of Disciplinary Charges, *In the Matter of Steven Franklyn Helfand*, Case No. 17-O-00411 and 17-O-00412 (State Bar Court of California; filed Sept. 24, 2018). Helfand did not contest the charges and a default was entered against him. *Id.*, Order Entering Default (Jan. 15, 2019).
- Theodore Frank, a lawyer and director of the Hamilton Lincoln Law Institute, is in the business of objecting to class action settlements and has previously and unsuccessfully made some of the same or similar objections that he has made here. *See Target*, [2017 WL 2178306](#), at \*6 (rejecting objection that an allegedly fundamental intra-class conflict existed in a data breach case because class members could assert claims under various state statutes); *Poertner*, [618 F. Appx at 628-29](#) (rejecting objection that the proposed fee was unfair, finding Frank had improperly limited the monetary benefits to the

class and excluded the substantial non-monetary benefits of the settlement). The Court also finds that Frank disseminated false and misleading information about this settlement in an effort to encourage others to object in this case and directed class members to object using the “chat-bot” created by Class Action Inc., notwithstanding that it contained false and misleading information about the settlement. These actions are improper and further support a finding that Frank’s objection is not motivated to serve the interests of the class. *See Manual* § 21.33 (“Objectors to a class settlement or their attorneys may not communicate misleading or inaccurate statements to class members about the terms of a settlement to induce them to file objections or to opt out.”).

Finally, the Court addresses the 718 “chat-bot” generated forms submitted by Class Action Inc. on which class members simply checked one or more of several boxes indicating that the settlement was “unfair,” “inadequate,” “unreasonable,” or “unduly burdensome” and had the opportunity to add a “personal note” to the Court. The Court has considered the substance of these objections (which are repeats of objections addressed above) and rejects them in their entirety. Separately, the Court rejects these objections as procedurally defective. The objections were not submitted through the process ordered by the Court and do not comply with the requirement under Rule 23 that an objection “state whether it applies only to the objector, to a

specific subset of the class, or to the entire class and also state with specificity the grounds for the objection.” See Fed. R. Civ. P. 23(e)(5)(A).

Moreover, class counsel submitted information that Class Action Inc. failed to accurately describe the settlement both on its website and in promotions of the chat-bot elsewhere, which may have prompted users of the site to object based on inaccurate and incomplete information about the benefits available under the settlement. The Court notes that class counsel subpoenaed Reuben Metcalfe, the CEO of Class Action Inc., for a deposition, but Mr. Metcalfe failed to appear. The Court also notes that Mr. Metcalfe represented to class counsel that he had not even read the settlement agreement or notice materials before falsely telling class members that the settlement provided only \$31 million to pay claims. [Doc. 939-1, ¶ 36]. Therefore, based on the uncontested record, the Court accepts the facts as presented by class counsel on this point, and finds that Class Action Inc. and Mr. Metcalfe promoted false and misleading information regarding the terms of the settlement in an effort to deceptively generate objections to the settlement.

## **VI. THE COURT’S TREATMENT OF OTHER PENDING MATTERS.**

### **A. Motions To Strike Declarations Of Robert Klonoff, Geoffrey Miller And Harold Daniel.**

Several objectors moved to “strike” [Docs. 872, 890, 909, 918] the Declarations of Robert Klonoff [Docs. 858-2, 900-2], Geoffrey Miller [Doc. 900-3], and Harold Daniel [858-3] submitted by class counsel. Plaintiffs oppose these

motions [Docs. 887, 932, 946]. While the Court has found the declarations helpful, as noted above, the Court has exercised its own independent judgment in resolving the matters addressed in the declarations, rendering the challenges to the declarations moot. Regardless, the motions lack merit. All three of the proposed experts are well-qualified, *Daubert* does not govern at the final approval stage, and, even if it did, each of the declarations passes muster under *Daubert*.<sup>56</sup>

Professor Klonoff is a prominent law professor and teacher of civil procedure; former Assistant to the U.S. Solicitor General; the author of relevant academic publications and the leading casebooks on class actions and multi-district litigation; was the Associate Reporter for the American Law Institute's class action project; and was appointed by Chief Justice Roberts for two three-year terms as the sole academic member to the Advisory Committee on the Rules of Civil Procedure, a position in which he took the lead on the proposed amendments to Rule 23 that became effective on December 1, 2018. [[Doc. 858-2](#), ¶¶ 4-12]. Because of his expertise, other courts have specifically accepted and relied extensively upon

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<sup>56</sup> Similar motions to strike at the final approval stage filed by Frank's organization have also been rejected in other pending class actions. See *Briseño v. Conagra Foods, Inc.*, No. 11-cv-05379-CJC-AGR, [Doc. 695](#) (C.D. Cal. Oct. 8, 2019); *In re Samsung Top-Load Washing Machine Marketing, Sales Practices and Prods. Liab. Litig.*, No. 17-ml-2792-D, [Doc. 208](#) (W.D. Okla. Nov. 18, 2019). See also *Target*, [2015 WL 7253765](#), at \*4 ("even if the affidavit contained impermissible legal conclusions, the Court is capable of separating those conclusions from Magistrate Judge Boylan's helpful and insightful factual descriptions of the settlement process in this case.").

Professor Klonoff's opinions regarding proposed attorneys' fee awards and other class action issues. *See, e.g., Syngenta*, 357 F. Supp. 3d at 1115; *In re AT&T Mobility Wireless Data Services Sales Tax Litig.*, 792 F. Supp. 2d 1028, 1032 n.3, 1034-35, 1037-38, 1040, 1042 (N.D. Ill. 2011); the *National Football League Players Concussion Injury* MDL; the *Chinese-Manufactured Drywall* MDL; and the *Deepwater Horizon* MDL. (See Doc. 858-2, ¶ 10) (listing cases).

Professor Miller is the co-author of several leading empirical studies of attorneys' fees in class action litigation and a frequent expert witness on issues relating to class actions and attorneys' fees. [Doc. 900-3, ¶ 1]. One objector cites to a study that he authored. [Doc. 880 at 12-15, Doc. 876 at 18-19]. Professor Miller is the Stuyvesant Comfort Professor of Law at NYU Law School, and a member of the advisory committee for the American Law Institute's Principles of the Law project on Aggregate Litigation, which, among other topics, addressed questions of attorneys' fees in class actions and related types of cases. [Doc. 900-3 ¶¶ 2-3]. His research articles on class action cases, especially in the area of attorneys' fees, have been cited as authority by many state and federal courts. [Doc. 900-3 ¶¶ 4-6].

Harold Daniel served as the President of the State Bar of Georgia and the Lawyers Club of Atlanta. [Doc. 858-3, ¶ 2]. He was a member Standing Committee of the Federal Judiciary of the American Bar Association. [*Id.*]. He also has been

qualified and has served as an expert witness on the issue of attorneys' fees in numerous courts, including this Court. [*Id.*, ¶ 10].

At the final approval stage, the weight of authority from the circuits makes clear that district courts have discretion to use “whatever is necessary . . . in reaching an informed, just and reasoned decision.” *Mars Steel Corp. v. Cont’l Bank N.A.*, 880 F.2d 928, 938 (7th Cir. 1989). Final approval is not a trial on the merits, and the Court need not be a gatekeeper of evidence for itself. Further, the issues on which the experts opine are both relevant and inherently factual in nature, not disputed legal principles, and the declarations are helpful as to these matters. Moreover, the methodology the experts used—applying their expertise gained through years of experience to questions of fairness and reasonableness—is more than sufficient to satisfy Rule 702 and *Daubert*. See, e.g., *Kumho Tire Co., Ltd. v. Carmichael*, 526 U.S. 137, 152 (1999) (recognizing that a district court has “broad latitude” to allow an expert whose testimony is based on “professional studies or personal experience”); *Primrose Operating Co. v. Nat’l Am. Ins. Co.*, 382 F.3d 546, 561-63 (5th Cir. 2004) (affirming admission of testimony from a fee expert, stating the “fair and reasonable compensation for the professional services of a lawyer can certainly be ascertained by the opinion of members of the bar who have become familiar through experience and practice with the character of such services”); *Freed by Freed v. Merrill Lynch, Pierce, Fenner & Smith, Inc.*, 2005 WL 8156040, at \*2-3

(S.D. Fla. Aug. 2, 2005) (rejecting *Daubert* challenge to an expert who testified as to the reasonableness of an attorneys' fee based on his experience as a litigator, finding the methodology was reliable); *Yowell v. Seneca Specialty Ins. Co.*, 117 F. Supp. 3d 904, 910-11 (E.D. Tex. 2015) (declining to strike affidavit from fee expert because it satisfied *Daubert* requirements).

Finally, the Court again emphasizes that, with regard to all of the matters addressed in this Order it has performed its own independent legal research and analysis and made up its own mind. The pending motions to strike [Docs. 890, 909, 918] are therefore denied. The Court previously denied [Doc. 951] objector Shiyang Huang's motion to strike [Doc. 872].

**B. Oppositions To The Scope Of The Release By Proposed *Amicus Curiae* The State Of Indiana And The Commonwealth Of Massachusetts.**

The State of Indiana, through the Indiana Attorney General, submitted a self-styled *amicus curiae* brief, requesting that the Court modify the release in the settlement in several respects, purportedly to “safeguard its sovereign and exclusive authorities to enforce Indiana law.” [Doc. 898]. The Commonwealth of Massachusetts makes a similar request. [Doc. 923]. The gist of these requests is that the two states believe the release cannot be used as a bar to claims they are pursuing in separate enforcement actions against Equifax in Indiana and Massachusetts state courts. Indiana cites several cases in apparent support for its position that a class

action “cannot impede a separate action by government actors acting in an enforcement capacity.” [[Doc. 898, at 5](#)]. Massachusetts says its claims were not and could not have been asserted by any class plaintiffs in this case. The states’ requests are denied for the following reasons.

First, the Court concludes that Indiana and Massachusetts lack standing to object to the settlement because they are not members of the settlement class. Second, nothing in the settlement prevents Indiana or Massachusetts from pursuing enforcement actions in state court, which they both already are doing. Third, the Court does not have the power to grant the primary relief the states seek, which is a modification of the settlement, *see Cotton*, [559 F.2d at 1331](#), and any suggestion by Indiana or Massachusetts that the Court reject the settlement altogether is not in the best interests of the 147 million class members. It would make no sense for this Court to reject this historic settlement—one that provides substantial relief to a nationwide class and is supported by the Federal Trade Commission, Consumer Financial Protection Bureau, and 50 other Attorneys General—and subject all class members to the risks of further litigation simply because two states seek the opportunity to obtain additional relief for their own residents.

To the extent they move for specific relief from this Court, request that the Court issue an advisory opinion, or request that the Court refuse to approve the



settlement, the requests by Indiana [[Doc. 898](#)] and Massachusetts [[Doc. 923](#)] are hereby denied.

**C. Miscellaneous Pending Motions.**

The Court has carefully considered all timely filed objections. As a housekeeping matter, and for clarity of the record, the Court addresses several motions filed by objectors. The Court previously denied [[Doc. 851](#)] the Motion to Reject Settlement by Susan Judkins [[Doc. 824](#)], and the Motion to Reject Settlement by John Judkins [[Doc. 825](#)]. The Court also denied [[Doc. 853](#)] the Motion to Enforce Settlement by Lawrence Jacobson [[Doc. 837](#)], and Motion to Deny the Settlement by Beth Moscato [[Doc. 841](#)]. And the Court denied [[Doc. 873](#)] the Motion to Telephonically Appear at Fairness Hearing by Shiyang Huang [[Doc. 852](#)]. These motions were primarily further objections to the settlement couched as “motions” and, again, the Court has considered all timely filed objections. For similar reasons, the Court hereby denies the Motion for Court Order Setting Deadline to Pay Settlement Fee to Petitioning Parties by Peter J. LaBreck, Elizabeth M. Simons, Gregory A. Simons, Joshua D. Simons [[Doc. 789](#)]; the Motion to Remove Class Counsel, the Steering Committee, and Legal Administration, the Named Plaintiffs and Defense Counsel by Christopher Andrews [[Doc. 916](#)]; the Motion to Remove Class Counsel, the Steering Committee, and Legal Administration, the Named Plaintiffs and Defense Counsel for Misconduct by Christopher Andrews [[Doc. 917](#)];

the Motion to Strike Response to Doc. 903 [Doc. 935]; the Motion to Strike Equifax's Response to Doc. 903 [Doc. 936]; and the Motion to Strike Plaintiffs' Untimely Filings [Doc. 949]. Any other motions and requests for specific relief asserted by objectors are also denied.

For the reasons set forth herein, the Court hereby (1) **GRANTS** final approval of the settlement; (2) **CERTIFIES** the settlement class pursuant to Federal Rules of Civil Procedure 23(a), (b)(3) and (e); (3) **GRANTS** in full Plaintiffs' request for attorneys' fees of \$77.5 million, reimbursement of expenses of \$1,404,855.35, and service awards of \$2,500 each to the class representatives; and (4) otherwise rules as specified herein.

SO ORDERED, this 13 day of January, 2020.

/s/Thomas W. Thrash  
THOMAS W. THRASH, JR.  
United States District Judge

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

In re: Equifax Inc. Customer  
Data Security Breach Litigation

MDL Docket No. 2800  
No. 1:17-md-2800-TWT

CONSUMER ACTIONS

Chief Judge Thomas W. Thrash, Jr.

**FINAL ORDER AND JUDGMENT**

On July 22, 2019, the Court granted, pursuant to Federal Rule of Civil Procedure 23(e), Plaintiffs' motion for an order directing notice of a proposed class action settlement of consumer claims arising from the data breach announced by Equifax on September 7, 2017. [Doc. 742]. The Settlement Agreement, dated July 22, 2019 [Doc. 739-2], was entered into between the 96 Settlement Class Representatives named in the consolidated complaint [Doc. 374], through Class Counsel, and on behalf of the proposed Settlement Class, and Defendants Equifax Inc., Equifax Information Services, LLC, and Equifax Consumer Services LLC (collectively, "Equifax" or "Defendants"). Plaintiffs and Equifax are collectively referred to herein as the Settling Parties.

In a declaration filed with the Court [Doc. 900-5], the Notice Provider has advised that as of the Notice Date (September 20, 2019), the activities of the Notice Provider were executed in accordance with the Settlement Agreement, the approved

Notice Plan, and the Order Directing Notice. The Notice Provider declares that the Court-approved approach to notice reflects contemporary best practices in the field of consumer outreach, notice, and advertising across contemporary digital and traditional media and constituted the best practicable notice under the circumstances. The Notice Plan encompassed (a) individual direct notice via email to all Settlement Class Members whose email addresses can be identified with reasonable effort, as well as follow-up emails during the Initial and Extended Claims Period; (b) a sophisticated digital notice campaign that reached at least 90 percent of all Settlement Class Members multiple times before the Notice Date and with additional impressions during the remainder of the Initial Claims Period; (c) continuation of the digital campaign during the Extended Claims Period and thereafter for approximately three years, which among other things will target Settlement Class Members who search online for help remedying identity theft; and (d) radio advertising and a paid advertisement in a national newspaper to reach Settlement Class Members who are less likely to use email or the internet. The Claims Administrator also declares that it has fulfilled its duties to date with respect to the notice process. [[Doc. 900-4](#)]. As declared by the Notice Provider and the Settlement Administrator, the Court finds that the Notice Plan effectively reached the Settlement Class, increased prospective class members' awareness of the Settlement, their options, and the benefits available to them; delivered the best notice practicable

under the circumstances; and thus satisfied due process and the requirements of Rule 23.

Out of the approximately 147 million class members, only 388 directly objected—or just 0.0002 percent of the class. An additional 718 form “objections,” which allegedly had been filled out online by class members, were submitted *en masse* by a class action claims aggregator that created a website with a “chat-bot” that encouraged individuals to object. These form “objections” are procedurally invalid for the reasons set forth in the final approval order separately entered by the Court. In addition, according to the Claims Administrator, a total of 2,770 requests for exclusion from the Settlement Class were received.

In accordance with the schedule set by the Court in its Order Directing Notice, Plaintiffs filed a motion for attorneys’ fees, expenses, and service awards on October 29, 2019 [[Doc. 858](#)], which was posted on the Settlement Website, and on December 5, 2019 filed a motion for final approval of the Settlement [[Doc. 903](#)] and other supporting papers [Docs. 899, 900, 901, 902; *see also* [Doc. 939](#)]. Also in accordance with that schedule, the Court held a Fairness Hearing pursuant to Rule 23(e)(2) on December 19, 2019, at which it heard from counsel for the Settling Parties and those objectors (or their counsel) who had, in their objections, requested the opportunity to appear and present argument.

The Court having reviewed Plaintiffs' motion for final approval, response to objections and motions, response to briefs *amicus curiae*, motion for attorneys' fees and reply in support, and the related declarations and exhibits, and having considered all of the written objections to the Settlement (as are detailed in the Court's Final Approval Order) and the argument presented at the Fairness Hearing, both in favor and in opposition to the Settlement's final approval, in accordance with the reasons set forth on the record of the Fairness Hearing and in the Court's detailed Order dated January 13, 2020, it is now hereby

**ORDERED, ADJUDGED, AND DECREED** as follows:

1. The Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1332(d)(2)(a) and 28 U.S.C. § 1331, and personal jurisdiction over the Class Representatives, members of the Settlement Class, and Defendants. Additionally, venue is proper in this District pursuant to 28 U.S.C. § 1391(b)(1) & (2).

2. The Court finds that notice of the Settlement that was disseminated to prospective members of the Settlement Class through direct email, digital media, and other means outlined above fully comported with the requirements of both Rules 23(c)(2)(B) and (e)(1) and constitutional due process. The notice furnished to the Settlement Class constituted the best notice practicable under the circumstances and was reasonably calculated, under the circumstances, to apprise Settlement Class Members of (a) the nature of the action, the nature of the Settlement Class and its

claims, and the material terms of the Settlement, including the benefits provided, the procedure for making a claim, the release provided to Defendants, the consequences of participating or not participating in the Settlement, and their options; (b) all applicable deadlines; (c) their right to opt out or object to any aspect of the Settlement and how to do so; (d) the attorneys' fee that Class Counsel would seek; (e) the date, place, and time of the Rule 23(e)(2) Fairness Hearing and their right to appear at the hearing; and (f) where they could obtain further information.

3. In addition, the notice given by Defendants to state and federal officials pursuant to 28 U.S.C. § 1715 fully and timely satisfied the requirements of that statute.

4. For the reasons stated in the Court's detailed Order dated January 13, 2020, although the Court need not consider the objections that did not follow the Court's Order Directing Notice, and although those objections are invalid, the Court overrules *all* objections to the Settlement.

5. Plaintiffs' motion for final approval of the Settlement is **GRANTED**. The Court finds that the Class Representatives and Class Counsel have adequately represented the Class, and finds that the Settlement, including its equitable method of allocation and distribution of the Consumer Restitution Fund, is the product of extensive arm's-length negotiation by seasoned counsel and that it is fair, reasonable, and adequate.

6. Pursuant to Rule 23, the Court certifies the following Settlement Class for settlement purposes only:

The approximately 147 million U.S. consumers identified by Equifax whose personal information was compromised as a result of the cyberattack and data breach announced by Equifax Inc. on September 7, 2017.

7. Excluded from the Settlement Class are: (1) Defendants, any entity in which Defendants have a controlling interest, and Defendants' officers, directors, legal representatives, successors, subsidiaries, and assigns; (2) any judge, justice, or judicial officer presiding over this matter and the members of their immediate families and judicial staff; and (3) the individuals who timely and validly opted out of the Settlement Class, who are identified in Exhibit D to Doc. 900-4, a copy of which is appended hereto as Exhibit A and is part of this Final Order and Judgment.

8. For settlement purposes, the Court determines the Settlement Class meets all the requirements of Rules 23(a) and (b)(3). Specifically, for the reasons outlined in Plaintiffs' motion for final approval and the Court's detailed Order dated January 13, 2020: the Settlement Class is so numerous that joinder of all members is impractical; there are common issues of law and fact; the claims of the Settlement Class Representatives are typical of absent class members; the Settlement Class Representatives have and will fairly and adequately protect the interests of the Settlement Class, as they have no interests antagonistic to or in conflict with the class and have retained experienced and competent counsel to prosecute this matter;



common issues predominate over any individual issues; and a class action is the superior means of adjudicating the controversy.

9. Pursuant to Rule 23(c)(3)(B), the Court finds that all those members who did not timely and validly request exclusion from the Settlement Class are Settlement Class Members who are bound by the Settlement Agreement and this Final Order and Judgment. Given the vast size of the Settlement Class, the Court finds it impracticable to identify each Settlement Class Member by name in this Final Order and Judgment.

10. Pursuant to Rule 23(g), the Court confirms the appointment of Kenneth C. Canfield, Amy E. Keller, Norman E. Siegel, and Roy E. Barnes as Class Counsel.

11. The Court confirms the appointment of the individual plaintiffs identified in Exhibit B as Settlement Class Representatives.

12. The Court confirms its earlier appointment of JND Legal Administration as the Settlement Administrator, and directs it to continue to carry out its duties pursuant to the Settlement Agreement, subject to the jurisdiction and oversight of this Court.

13. The Court confirms its earlier appointment of Signal Interactive Media LLC as the Notice Provider, and directs it to continue to carry out its duties pursuant to the Settlement Agreement, subject to the jurisdiction and oversight of this Court.

14. The Court confirms its earlier appointment of Experian as the provider of credit monitoring and restoration services to eligible Settlement Class Members as set forth in the Settlement Agreement. The Court directs that Experian continue to effectuate the Settlement Agreement in coordination with Class Counsel, Equifax, and the Settlement Administrator, subject to the jurisdiction and oversight of this Court.

15. The Court finally approves the Distribution and Allocation Plan as a fair and reasonable method to allocate the settlement benefits among Settlement Class Members. The Court directs that the Settlement Administrator continue to effectuate the Distribution and Allocation Plan according to the terms of the Settlement Agreement. The Court reaffirms that all Settlement Class Members (excluding those who opted out as reflected in Exhibit A to this Order) who fail to submit a claim in accordance with the requirements and procedures specified in the Notice shall be forever barred from making a claim, but will in all other respects be subject to, bound by, and enjoy the rights provided for pursuant to the provisions in the Settlement Agreement, the releases included in that Agreement, and this Final Order and Judgment.

16. The Court expressly incorporates into this Final Order and Judgment the Settlement Agreement and all exhibits thereto, which were filed on July 22, 2019 [[Doc. 739-2](#)].

17. The Court also expressly incorporates into this Final Order and Judgment its Order dated January 13, 2020, in which it granted final approval to the Settlement and granted in full Plaintiffs' motion for attorneys' fees, expenses, and service awards to the Settlement Class Representatives pursuant to Fed. R. Civ. P. 23(h).

18. By operation of this Final Order and Judgment, as of the Effective Date, the Releases set forth in Section 16 of the Settlement Agreement shall be given full effect.

19. The Court hereby dismisses this Action with prejudice, save for individual cases brought by putative class members who expressly opted-out of the Settlement. The Settlement Class Representatives, Settlement Class Members, and Defendants are hereby permanently barred and enjoined (including during the pendency of any appeal taken from this Final Order and Judgment) from commencing, pursuing, maintaining, enforcing, or prosecuting, either directly or indirectly, any Released Claims in any judicial, administrative, arbitral or other forum. This permanent bar and injunction is necessary to protect and effectuate the Settlement Agreement, this Final Order and Judgment, and this Court's authority to effectuate the Settlement Agreement, and is ordered in aid of this Court's jurisdiction and to protect its judgments. Nothing in this Final Order and Judgment shall preclude any action to enforce the terms of the Settlement Agreement.

20. Pursuant to Paragraph 4.1.2 of the Settlement Agreement, Equifax's Business Practices Commitments are memorialized in the Consent Order entered in connection with this Final Order and Judgment, and thereby will be subject to independent supervision and judicial enforcement. The Court expressly incorporates into this Final Order and Judgment that Consent Order.

21. The Settling Parties are ordered to implement each and every obligation set forth in the Settlement Agreement in accordance with the terms and provisions of the Settlement Agreement. The Court retains jurisdiction over this action and the Settling Parties, Settlement Class Members, attorneys, and other appointed entities, for all matters relating to this action, including (without limitation) the administration, interpretation, effectuation or enforcement of the Settlement Agreement and this Final Order and Judgment.

22. There is no just reason to delay entry of this Order and Final Judgment and immediate entry by the Clerk of the Court is directed pursuant to Rule 54(b) of the Federal Rules of Civil Procedure.

SO ORDERED, this 13 day of January, 2020.

/s/Thomas W. Thrash  
THOMAS W. THRASH, JR.  
United States District Judge



# Exhibit A

JND Identifier	First Name	First Initial of Last Name	State/Province
1	LaTina	Y.	KS
2	Kayla	K.	TX
3	Trenton	H.	TX
4	Michael	M.	GA
5	Adam	M.	WA
7	Heath	N.	WA
8	Donald	G.	CA
9	Clayton	R.	MO
10	Corliss	C.	TX
12	Michael	G.	OH
14	Stephen	J.	CA
15	Neal	W.	VA
16	Stephanie	M.	CA
17	Jenny	T.	CA
18	Anton	H.	CA
20	Karen	W.	NY
21	Charles	B.	NY
22	Martin	H.	FL
23	John	Y.	MD
24	Diana	Y.	MD
25	Thomas	S.	CA
26	Aaron	B.	CA
27	Matthew	F.	IA
29	David	C.	NY
31	Marc	W.	CA
32	Joel	W.	CA
33	Anthony	R.	TX
34	Savannah	R.	TX
36	Penny	A.	CO
37	S.	A.	CO
38	Robert	I.	NC
39	Nigel	T.	CO
40	April	S.	NC
41	George	I.	NC
42	Shirley	W.	CA
43	Shaun	S.	PA
47	Michael	B.	TX
48	Carla	B.	TX

JND Identifier	First Name	First Initial of Last Name	State/Province
49	Brian	H.	GA
50	Steve	D.	OH
51	Andre	V.	WA
52	Eric	E.	WA
54	Frank	D.	MD
55	Irene	D.	MD
56	Thomas	C.	PA
57	Sara	G.	ME
58	James	J.	OR
61	Michael	L.	OR
62	Charles	W.	WA
63	Shao	H.	WA
64	Paul	E.	WA
65	Kellum	H.	MA
67	Joshua	C.	FL
68	Phuong	H.	MA
69	Linda	C.	HI
70	Veena	K.	HI
71	Ingrid	W.	OH
74	Philip	H.	NY
76	Tariq	E.	NC
77	Majd	A.	NC
78	Klassik	N.	GA
79	David	E.	SC
80	Nikki	K.	CT
84	Linda	W.	MI
85	Harry	R.	IL
86	Matthew	D.	IL
88	Michael	A.	MI
89	Robin	P.	SC
90	Duane	A.	VA
93	Nicholas	C.	ME
95	Patricia	T.	CT
96	Kiran	V.	HI
97	Luka	J.	NY
99	Ginger	C.	TX
100	Christopher	F.	NC
101	William	B.	IL



JND Identifier	First Name	First Initial of Last Name	State/Province
102	Deborah	B.	IL
103	Timothy	M.	TX
104	Shabana	S.	TX
105	Wendy	P.	MD
106	William	P.	MD
107	Nicole	B.	MA
108	Lawrence	P.	MA
109	Shannon	M.	MI
110	Brian	M.	MI
111	Paul	A.	MI
112	Jill	C.	ID
113	Jason	W.	ID
114	Adam	I.	VA
115	Ismail	I.	VA
116	Emma	I.	VA
117	Keith	F.	MN
118	Beth	F.	MN
119	Christopher	G.	NM
120	Nicole	G.	NM
122	Edgar	W.	MD
123	Andrew	S.	GA
125	Kellie	C.	MD
126	Florence	J.	NC
127	Kali	D.	AR
128	Kim	W.	WA
131	Tonya	R.	KS
132	Kecia	H.	KS
133	Gary	C.	OR
135	Mark	M.	NC
136	Stephanie	M.	NC
137	Lisa	L.	MI
138	Kelly	E.	MA
139	Sian	B.	VA
140	Grant	D.	AR
142	Amy	P.	NH
143	Paul	B.	MA
144	Sarah	H.	MA
145	Jeffrey	C.	MA

JND Identifier	First Name	First Initial of Last Name	State/Province
146	Paul	N.	VA
149	Daryl	E.	MA
150	Garry	H.	VA
152	Thomas	E.	MI
153	Harold	I.	AZ
154	Elizabeth	B.	MA
155	Raphael	T.	MO
156	Robert	B.	NM
157	Karlon	B.	NM
158	James	D.	MA
159	Arne	W.	OH
161	Kirill	S.	CA
162	Emanuel	M.	WA
164	Venicia	C.	NV
165	Margaret	D.	PA
166	Scott	H.	OH
167	William	T.	MO
168	Emily	T.	MO
169	Amanda	H.	IA
175	Mary	B.	PA
176	Jonathan	B.	PA
179	Anna	C.	MS
180	Garth	C.	MS
181	Ruchitkumar	P.	AL
182	Nidhiben	P.	AL
183	Virendrakumar	P.	AL
184	Deborah	B.	OH
185	Edward	B.	OH
187	George	H.	GA
188	Kimberly	G.	MN
189	Anthony	G.	MN
191	Donovan	J.	NC
192	Todd	H.	CA
193	Heather	Y.	MI
194	Carlton	T.	CA
195	Arthur	F.	MD
196	Theresa	F.	CA
197	Sylvia	C.	FL

JND Identifier	First Name	First Initial of Last Name	State/Province
198	Cyril	M.	FL
199	Osvaldo	M.	FL
200	Carol	K.	PA
202	David	K.	IL
203	Calin	D.	IL
204	Louis	R.	CA
205	Barbara	R.	CA
206	Jeanne	J.	CA
208	Todd	C.	NY
209	Robert	L.	CO
211	Lynn	T.	NV
212	Shawn	T.	NV
213	Patrick	D.	CA
214	Samuel	W.	TN
215	Mary	W.	FL
216	Yolanda	V.	FL
217	Timothy	H.	CA
218	Kevin	S.	NC
219	Douglas	T.	CA
225	Todd	S.	IL
226	Seyed	N.	PA
227	Eric	Z.	CA
228	Susan	D.	CA
229	Joshua	V.	TX
230	John	F.	NC
231	Dawn	B.	OH
232	Cavett	F.	NM
233	Jeffrey	D.	MA
234	Lalith	N.	MA
235	Arden	I.	CA
238	Eleanor	M.	TX
239	Zachary	F.	DC
245	Cosmos	N.	CA
246	Carol	B.	WI
247	Ella	B.	WI
249	Lisa	R.	RI
250	Jon	L.	MO
251	Angie	Y.	CA

JND Identifier	First Name	First Initial of Last Name	State/Province
254	Robert	R.	OR
255	Andrew	Y.	CA
257	Adam	S.	CO
258	Michael	L.	CA
260	Nancy	R.	WV
261	Dewayne	R.	KS
262	Sharon	L.	CA
263	Akiva	L.	CA
266	Juan	P.	FL
267	Brett	B.	CO
268	Kelli	G.	CO
269	Christopher	C.	NC
270	Paul	H.	PA
271	Derek	W.	CA
273	Erica	L.	FL
274	Katherine	G.	WI
275	Frank	G.	WI
277	James	Z.	OH
278	Cynthia	N.	CA
280	Rosa	E.	TX
281	Marcia	H.	CA
282	Perri	S.	GA
283	Jesus	H.	CA
284	Christopher	H.	CO
285	Deborah	H.	CO
286	Gregory	W.	CA
287	Deeshawn	D.	NC
288	Eboni	C.	NY
289	Jane	W.	OH
291	Michelle	D.	CA
292	Randall	D.	CA
295	Derek	L.	NJ
297	Bryan	R.	GA
299	Andrew	S.	NJ
300	Paul	I.	NM
301	Pamela	G.	CT
302	Cassandra	T.	SC
303	Thomas	B.	CA

JND Identifier	First Name	First Initial of Last Name	State/Province
304	Amari	D.	NY
305	Kevin	M.	NJ
306	Katherine	M.	NJ
308	Kimberly	S.	MO
309	Robert	S.	MO
311	Christopher	R.	TX
312	Matthew	Y.	MD
315	Rhonda	Y.	ME
316	Walter	Y.	ME
317	Danielle	W.	TX
319	Jonathan	M.	NY
320	D	S.	CT
322	Benjamin	S.	VT
323	Nancy-Lea	S.	VT
324	Andrew	K.	ID
325	Lawrence	S.	NY
326	Cecilia	K.	NY
327	Flaviu	T.	GA
328	Matthew	D.	PA
329	John	A.	PA
330	Patricia	A.	PA
331	Michael	S.	WA
332	Peter	D.	CA
333	Roman	S.	CA
334	Nerissa	W.	MD
335	Steven	S.	MD
336	Latisha	D.	MD
339	Yi	B.	NJ
340	James	S.	CA
342	Jake	F.	CA
344	Stephen	G.	SC
345	Denise	S.	IL
346	Solomon	B.	CA
347	Erin	A.	NC
348	Denise	K.	WI
349	Travis	K.	MN
350	Lenae	K.	MN
353	Greg	D.	CA

JND Identifier	First Name	First Initial of Last Name	State/Province
354	Alexander	Z.	CA
355	Charles	A.	VA
356	Judy	A.	VA
357	Joshua	F.	IL
359	Warren	G.	MO
360	Grace	G.	MO
361	Dawn	K.	TX
363	Raymond	V.	VA
364	Scott	E.	TX
365	Clinton	D.	TX
366	Alan	R.	WA
367	Olga	L.	IL
368	Daniela	D.	CA
369	Frederick	K.	PA
371	Katherine	W.	TN
374	Ronald	R.	PA
375	Karen	L.	PA
376	Maurice	S.	NY
377	Jeffrey	M.	MD
378	Mira	H.	IL
379	Stephen	H.	IL
381	Esther	N.	PA
382	Flynn	B.	PA
384	Jed	G.	IL
385	Lisa	G.	IL
386	Kaitlynn	K.	IL
387	Matthew	K.	MN
388	Steven	K.	MN
389	Patricia	K.	MN
392	Daniel	W.	AZ
393	Jade	F.	WI
394	Clayton	J.	LA
396	Richard	Y.	IN
397	Edward	S.	IN
398	Ruby	H.	IN
399	Mathew	B.	TN
400	Brent	B.	SC
401	Samantha	B.	SC

JND Identifier	First Name	First Initial of Last Name	State/Province
402	Joan	C.	PA
403	Susan	V.	MA
404	Jennifer	R.	TX
405	Stephen	S.	TX
407	Audella	P.	CA
408	Michael	P.	NC
409	Joseph	A.	NC
410	Kevin	B.	TX
412	Marilyn	S.	CA
413	Andrew	K.	AZ
417	Jacob	B.	MI
418	Michael	L.	KS
421	Katherine	G.	CA
424	Eric	N.	TX
425	Florence	W.	TX
427	Jennifer	M.	MI
428	Brycia	K.	TN
429	Noel	F.	NV
431	Jonathan	B.	CA
433	Jennifer	G.	TX
434	Justin	K.	SC
435	Philip	C.	CO
436	Kathryn	K.	CA
437	Marci	C.	MI
440	Robert	L.	PA
441	Thomas	H.	TX
442	Kevin	C.	VA
443	Katy	G.	CO
444	Ben	P.	CT
445	James	D.	MD
446	Jeffrey	L.	MI
447	Roman	C.	NY
448	Raymond	S.	HI
449	James	M.	NY
450	Gregory	R.	AK
451	Michael	W.	MA
452	John	F.	NV
454	Thomas	M.	PA

JND Identifier	First Name	First Initial of Last Name	State/Province
455	Kayleigh	K.	OR
456	Vijayachandran	N.	AZ
457	Brian	M.	MA
458	Thomas	R.	TX
459	Michelle	A.	TX
460	Anita	C.	NV
463	Lane	N.	NY
464	Keith	L.	CA
465	Maria	G.	CA
467	Karthiayani	N.	AZ
468	Alejo	O.	TX
469	Nancy	D.	CA
470	Ivan	L.	AK
472	Elisa	D.	NC
473	Richard	L.	NC
474	Rebecca	S.	TX
475	John	M.	NC
476	Doris	L.	MO
477	Rebecca	M.	AR
478	Sara	L.	IA
480	Kara	H.	MA
481	Analia	M.	CA
484	Donna	F.	MN
485	Patricia	G.	CA
486	Austin	N.	UT
488	Jessica	T.	CA
489	Melanie	M.	MD
490	Dana	V.	CT
491	Muriel	D.	MO
492	Christie	C.	ID
494	Michael	H.	FL
495	William	S.	LA
496	Bernd	K.	TX
497	Rosa	K.	TX
498	Jennifer	S.	WA
500	Hope	P.	PA
501	Jody	P.	CT
502	Lisa	L.	NY



JND Identifier	First Name	First Initial of Last Name	State/Province
504	Eric	L.	CA
505	Joshua	S.	CA
508	Barry	C.	PA
509	Henry	H.	MD
510	Clarissa	P.	VA
511	Thomas	J.	VA
512	Elaine	D.	VA
513	Judi	C.	PA
514	Cassie	H.	FL
515	David	C.	UT
516	Igor	J.	NY
517	Blake	S.	MD
518	Frances	K.	CA
520	Brian	L.	MO
521	James	S.	SC
522	Giuseppe	N.	NJ
523	David	J.	CT
524	Steven	C.	FL
525	Monica	Z.	FL
528	Dana	B.	TN
529	Frances	R.	TN
530	Edward	S.	NJ
533	Nyia	B.	CA
534	Xandria	S.	CA
535	Michael	M.	CA
536	Constance	W.	CA
537	Beth	H.	SC
538	Kenneth	H.	SC
539	Irene	D.	CA
540	Jason	D.	CA
541	Jessica	B.	NC
542	Joshua	B.	NC
544	Matthew	C.	PA
546	Carole	R.	MD
547	David	G.	WI
548	Laura	G.	WI
549	Jennifer	D.	MN
550	Logan	S.	PA

JND Identifier	First Name	First Initial of Last Name	State/Province
551	Jeffrey	M.	SC
552	Mary	M.	SC
553	Jacinth	M.	GA
554	Jerry	J.	NC
555	Nicole	M.	CA
556	Steven	A.	WA
559	Rachelle	A.	WA
560	Justin	D.	WA
561	Nicole	M.	WA
562	Chris	B.	AZ
563	Victoria	B.	AZ
564	Renee	S.	IL
565	James	M.	CO
566	Nikki	V.	CA
567	Marvin	V.	CA
570	Myah	M.	CA
571	Brian	B.	MI
572	Stephanie	G.	IN
574	Shannon	W.	MI
575	Brian	B.	IN
576	Raynell	S.	HI
577	Verilla	J.	IN
579	Gary	G.	CO
580	Mark	D.	TX
581	Adam	R.	CA
582	Lena	S.	CA
583	Gary	S.	CA
584	Jonathan	L.	NY
587	Curtis	B.	NC
588	Douglas	S.	NY
589	Rami	H.	TX
590	Barbara	B.	NY
591	Annabelle	G.	WI
592	Mary	K.	MD
593	Keith	K.	MD
594	Ilya	B.	MO
595	Lavinia	S.	MO
601	Robert	Y.	VA

JND Identifier	First Name	First Initial of Last Name	State/Province
602	Jason	G.	CA
603	Liliya	G.	CA
604	Minh	M.	CA
605	Tiffany	J.	CA
606	Ashwin	K.	VA
607	Ricky	F.	NC
609	Radi	D.	DC
610	Dustin	S.	MN
611	Ethan	H.	PA
612	Noora	S.	PA
613	Melissa	H.	TX
614	Sarah	B.	CA
616	Deborah	W.	NC
617	Katie	C.	NC
618	David	D.	CO
620	Jonathan	S.	AZ
621	David	S.	TX
622	Michael	D.	NJ
623	Lisa	B.	NY
624	Lindsay	G.	PA
625	Nathan	G.	PA
629	Terry	D.	WA
632	Jill	B.	NY
634	Sarah	H.	WI
635	Michael	K.	SC
636	Charlotte	R.	IL
639	Luisa	S.	OR
641	Angelina	R.	CO
642	Rajesh	S.	IL
643	Michael	H.	TN
645	Sylvia	A.	NJ
647	Casey	N.	VA
648	Natalie	C.	VA
649	Diane	H.	TN
650	Neil	J.	CA
651	Lynn	C.	PA
652	Robert	K.	NY
653	Sharon	G.	CO

JND Identifier	First Name	First Initial of Last Name	State/Province
655	Fulvie	N.	FL
657	Christopher	B.	GA
658	Michael	F.	CA
659	Jacquelyn	D.	MD
661	Thien	N.	CA
664	Eric	C.	FL
666	Vanessa	R.	OR
667	Casey	R.	OR
668	Kevin	C.	CA
670	Debbie	K.	PA
672	Raymond	W.	NY
673	Marina	H.	CA
674	Debra	M.	CA
675	Rochelle	J.	CA
676	Christina	M.	CA
678	Angel	M.	CA
679	Sarah	M.	TX
680	Dane	T.	MI
681	Thomas	H.	VA
682	Constance	H.	VA
683	Robert	C.	MA
684	Antoine	A.	TX
686	Erika	E.	ID
687	Seth	E.	ID
688	Stefanie	L.	TX
689	Leroy	J.	TX
690	Scott	A.	MO
691	Judith	W.	VA
693	Sheri	S.	KS
694	Richard	M.	NC
695	Jenny	B.	TX
696	Jesse	B.	TX
699	Michael	P.	OK
702	Timothy	L.	FL
703	Patrick	G.	OR
704	Valerie	G.	OR
705	Emma	B.	TX
706	Thomas	J.	SC

JND Identifier	First Name	First Initial of Last Name	State/Province
707	Mark	S.	TX
708	Rodney	P.	NM
709	Mary	G.	CA
710	Lizann	R.	TX
711	William	R.	TX
712	Alison	B.	IL
713	Alexander	W.	RI
714	Chelsea	B.	CA
715	Rebecca	B.	CO
716	Kimmery	F.	NC
717	James	F.	NC
718	Christine	N.	CO
719	Joseph	J.	MD
720	Kirsten	M.	HI
721	Ian	L.	HI
722	Nancy	B.	AR
723	Bruce	D.	KY
724	Elaine	D.	KY
725	Mitchel	S.	MN
726	Cynthia	H.	NC
728	Rachel	F.	TX
729	Alfred	Y.	CA
730	Gallia	L.	CA
732	Virginia	M.	GA
733	Sue	K.	OH
734	Kara	W.	AZ
735	Paul	S.	MA
737	Robert	J.	WA
738	Denise	J.	WA
739	Sandy	S.	CA
740	Phillip	S.	CA
741	Clifford	S.	CO
742	Patricia	M.	CO
743	David	B.	SC
744	Rose	B.	SC
746	Keith	B.	IL
748	Kristan	A.	CA
749	Diana	A.	CA

JND Identifier	First Name	First Initial of Last Name	State/Province
750	Jarrold	W.	AZ
751	Elizabeth	B.	MD
753	Jonathan	O.	FL
754	Katherine	C.	CA
755	Denis	B.	CA
756	Bangphuong	N.	CA
757	John	D.	CA
758	Marsha	Z.	MD
760	Deborah	K.	NY
762	Amy	T.	VA
763	Sol	T.	VA
764	Steven	D.	MD
765	Gino	H.	FL
766	Daniel	R.	TN
767	Tracy	R.	TN
768	Nancy	B.	UT
771	Dale	P.	HI
772	Brian	R.	CA
773	Daniel	E.	MN
774	Christina	J.	IN
777	Kishya	M.	NC
778	Kathleen	S.	MA
779	George	Z.	PA
780	John	K.	IN
781	Elise	R.	MN
782	Hunter	J.	WA
783	Suzanne	Y.	NY
784	Russell	S.	CA
785	Suzanne	B.	CA
786	Joseph	B.	CA
787	Emmanuel	G.	NY
788	Layne	W.	VA
789	Marvin	T.	WA
790	Cynthia	T.	WA
792	Constance	M.	TX
793	Ronda	H.	NH
794	R.	H.	NH
795	Matthew	D.	MO

JND Identifier	First Name	First Initial of Last Name	State/Province
796	Brenda	D.	MO
797	Sunday	B.	SC
798	Richard	M.	MD
800	Kurt	G.	VA
801	Whitney	G.	VA
802	Ryan	Y.	OH
803	Eleanor	G.	NY
804	Nancy	E.	SC
805	Susan	S.	MN
806	Michael	G.	CT
808	Jordan	R.	MN
809	Jane	G.	CT
810	Seungmin	C.	CO
811	Brian	B.	CO
812	Charles	M.	MN
813	Craig	H.	MI
814	Brigette	H.	MI
816	Esteban	O.	TX
818	Jessica	Y.	CA
819	Christopher	M.	CA
820	Malathy	K.	TX
821	Rajesh	K.	TX
823	Sharon	T.	PA
824	Joseph	I.	NC
825	Kristopher	H.	NC
826	Gary	R.	GA
827	Dale	W.	DE
830	Holly	B.	VA
831	Conor	C.	NY
832	Nicholas	A.	CA
833	Destinie	S.	CA
835	Diogo	M.	UT
837	George	J.	TX
838	Summer	B.	TX
840	Julia	L.	FL
841	Wayne	L.	FL
842	Joanne	S.	WA
847	Amber	R.	IN

JND Identifier	First Name	First Initial of Last Name	State/Province
848	Hubert	G.	WA
849	Michael	T.	WI
851	David	P.	GA
852	Phyllis	S.	AE
853	Troy	S.	AE
854	Aleksandra	L.	CA
855	Joanna	L.	MD
856	Ramin	A.	FL
857	John	W.	MD
858	Raquel	W.	MD
859	Robin	N.	CO
860	James	C.	CA
861	Laura	C.	DE
862	Michelle	M.	MD
863	Rachel	K.	NY
864	Avraham	K.	NY
865	Chava	K.	NY
867	Genevieve	W.	FL
868	Douglas	B.	ME
873	Angela	L.	NY
874	Margaret	F.	NJ
876	Mitchell	H.	CA
877	Darlene	H.	CA
879	Anna	D.	NJ
880	Anthony	G.	CO
882	Dianne	G.	AK
883	Emanuela	S.	OR
884	Glen	W.	TX
886	Jeffrey	N.	MD
888	Joseph	G.	NJ
889	Juanita	L.	FL
890	Laura	W.	TX
891	Leslie	N.	CO
892	Lisa	M.	MD
893	Marty	K.	WI
894	Michael	G.	MI
895	Peter	R.	NY
896	Phillip	L.	OR



JND Identifier	First Name	First Initial of Last Name	State/Province
898	Raynold	I.	NJ
899	Robert	C.	NY
900	Shayna	W.	KS
901	Sophie	P.	PA
902	Syed	A.	FL
903	Tayva	H.	FL
905	Thomas	O.	CO
907	Rita	T.	PA
908	John	L.	DE
909	Joy	L.	DE
910	Deidre	P.	NY
911	Robert	P.	NY
912	Kimberly	S.	PA
914	Robert	M.	TX
915	Patricia	M.	TX
916	Meghan	B.	MA
917	Benjamin	N.	MA
919	Janeen	O.	NY
920	Janey	J.	VA
921	Paula	J.	VA
922	Jessica	J.	VA
923	William	J.	FL
924	Mary	W.	FL
925	Lori	S.	AZ
926	Zary	S.	AZ
927	David	B.	WI
928	Megan	S.	PA
930	Bryan	G.	PA
931	Mary	D.	VA
935	Lyla	B.	MN
937	Ashley	S.	GA
938	Sharon	M.	TX
939	Pete	I.	TX
941	Angela	J.	TX
942	David	J.	TX
944	Angy	B.	FL
945	Linda	S.	NY
947	Paul	B.	MA

JND Identifier	First Name	First Initial of Last Name	State/Province
948	James	W.	PA
949	Varujan	G.	CA
950	Aaron	C.	FL
951	Andrew	S.	CA
952	Frances	C.	MI
954	Maria	C.	CA
957	Mischa	B.	KS
958	Dahlia	L.	NY
959	Betty	L.	NY
963	Deborah	G.	NJ
964	Brian	T.	MD
965	Marshall	S.	CA
967	Michael	S.	TX
968	Lan	T.	CA
969	Chyrl	N.	WA
970	Stephen	R.	WA
971	Diana	R.	WA
974	Richard	L.	GA
975	Sarah	L.	GA
976	Zachary	L.	GA
977	Erica	L.	GA
978	Adam	L.	GA
981	Jose	M.	GA
982	Kurt	S.	MI
983	Amy	H.	PA
984	Richard	J.	PA
985	Andrew	S.	CA
986	Fredric	I.	IL
987	Rebecca	R.	FL
988	Jane	K.	CA
989	Herbert	J.	CA
990	Stephanie	T.	NJ
991	Michael	B.	TN
992	Connie	G.	NC
993	Frederick	S.	MD
994	Norman	B.	MI
995	Douglas	L.	NJ
996	Hosea	I.	SC

<b>JND Identifier</b>	<b>First Name</b>	<b>First Initial of Last Name</b>	<b>State/Province</b>
997	Andrew	S.	WA
999	Jason	H.	IN
1000	Heiddi	B.	MI
1001	Elizabeth	H.	IN
1003	Jeffrey	P.	MD
1005	Marcus	I.	OH
1006	John	R.	NY
1008	Ela	J.	GA
1009	Charles	K.	NJ
1012	Michael	V.	MA
1013	Jasel	J.	GA
1014	Margaret	A.	VA
1015	Shiloh	M.	CA
1017	Mark	A.	NH
1018	Jason	D.	MA
1019	Bhavna	G.	CT
1020	Jessica	D.	PA
1021	Daniel	R.	NH
1022	Holly	A.	NH
1023	Dawn	S.	FL
1024	David	F.	OR
1026	Dovjosef	A.	CA
1027	Matthew	L.	PA
1028	Charles	A.	MD
1029	Stephen	G.	KY
1030	Timothy	B.	PA
1031	Cindy	B.	PA
1034	Chauncey	C.	MD
1035	Willette	B.	VA
1036	Tervin	C.	MD
1037	Ashawnte	W.	VA
1038	Jill	G.	RI
1041	Michael	H.	RI
1042	Miriam	K.	PA
1043	Daniel	S.	VA
1044	Thomas	W.	NJ
1046	Sergey	M.	VA
1047	Natalie	P.	WA

JND Identifier	First Name	First Initial of Last Name	State/Province
1048	Andrea	C.	FL
1049	Jason	C.	FL
1050	Benjamin	M.	OK
1051	Paula	M.	OK
1052	Paul	B.	CO
1053	Krista	J.	AL
1054	Jan	S.	MI
1055	Rebecca	W.	TX
1056	Steven	S.	CA
1057	Debra	S.	CA
1058	Patricia	T.	DC
1059	Bruce	B.	CA
1060	Elizabeth	B.	CA
1061	Sandra	S.	MI
1062	Marianna	K.	CA
1064	Brian	B.	NC
1065	Frank	I.	NY
1066	Alan	G.	MI
1067	Paul	J.	SC
1068	Wayne	C.	CO
1070	Kevin	G.	TX
1071	Sera	G.	TX
1072	Brooke	G.	UT
1073	Shaun	G.	UT
1075	Richard	W.	NM
1076	Tatiana	W.	TX
1077	Daniel	W.	TX
1079	Michael	P.	VA
1080	Cory	H.	SC
1081	Kathleen	D.	SC
1082	Robert	H.	SC
1083	Tracee	C.	AZ
1084	Elizabeth	J.	AZ
1085	Catherine	G.	NY
1086	Christopher	A.	OK
1087	Henry	W.	NY
1088	Dale	M.	OH
1089	Lisa	N.	IL

JND Identifier	First Name	First Initial of Last Name	State/Province
1090	Tatiana	T.	NY
1091	Sylvia	S.	VA
1092	Stephanie	A.	DC
1093	Barbara	C.	NC
1094	Miles	L.	NY
1097	Kelly	B.	CO
1098	Lucia	L.	NY
1100	Michael	J.	MI
1101	Elizabeth	T.	MI
1102	Benjamin	B.	CA
1103	William	J.	NJ
1104	Sue	D.	FL
1105	George	D.	MD
1106	Sarah	P.	MD
1107	Friday	D.	MA
1108	Leroy	D.	FL
1109	David	N.	PA
1110	Paul	C.	MA
1111	Jennifer	T.	CA
1112	Justin	D.	CA
1113	Dalton	C.	PA
1114	Joshua	P.	AZ
1115	Hilary	P.	AZ
1117	Matias	S.	TX
1118	Danny	S.	KY
1119	Jerry	J.	CA
1120	Lawrence	Y.	CA
1121	Jaime	D.	CA
1122	Luzviminda	D.	CA
1125	Brent	H.	CO
1126	Alec	G.	CO
1127	Hibba	H.	KS
1128	Michael	H.	AZ
1133	Jennifer	B.	WI
1137	Roberta	W.	WV
1138	Greg	W.	WV
1140	Francine	B.	ME
1141	Geneva	G.	CA

JND Identifier	First Name	First Initial of Last Name	State/Province
1142	Donna	O.	MD
1143	Robert	B.	ME
1144	Calvin	P.	TN
1145	Maria	R.	OH
1148	Manolis	D.	CA
1149	Paula	B.	FL
1150	Karen	K.	FL
1151	Joshua	K.	FL
1152	Madeline	K.	FL
1153	Jason	B.	GA
1154	Sheryl	B.	GA
1156	Mona	S.	KY
1158	Steve	B.	AL
1159	Amanda	F.	VA
1160	James	P.	CA
1161	Bonnie	P.	CA
1162	Jessica	T.	CO
1163	Tammie	D.	NC
1164	Jason	W.	CA
1166	Patrick	J.	NJ
1167	Alexander	M.	OH
1168	Stephen	K.	WA
1169	Mohamed	D.	NC
1170	Debra	M.	CA
1172	Martin	K.	NY
1173	Atoosa	G.	NY
1175	Peter	H.	CO
1178	Loree	S.	GA
1179	John	T.	MN
1180	Sarah	T.	MN
1182	Christian	N.	MN
1183	Asma	J.	NJ
1184	Paul	L.	OR
1185	Brenda	Y.	WA
1186	Steven	G.	OH
1188	Paula	C.	NC
1189	Cassandra	F.	TX
1190	Matthew	G.	TX

JND Identifier	First Name	First Initial of Last Name	State/Province
1191	Justine	N.	CA
1194	Richard	J.	VA
1196	Michael	S.	VA
1197	Lucy	H.	TN
1198	Molly	B.	IL
1199	Carlos	O.	CA
1200	Francesca	W.	IL
1201	Maria	D.	CA
1202	Reem	I.	CA
1203	Mary	M.	TN
1204	Christopher	G.	OH
1205	David	E.	NV
1206	Edward	B.	NJ
1207	Philip	T.	CO
1208	Christina	T.	CO
1209	James	E.	CT
1211	Alicia	J.	CA
1212	Tom	S.	VA
1213	Guy	V.	TX
1214	Anthony	P.	NY
1215	Patricia	C.	WI
1216	Michael	F.	VA
1217	George	T.	CO
1219	Naeshaun	B.	VA
1220	Jayson	K.	NV
1221	Lee	K.	IL
1223	Jason	M.	PA
1225	David	G.	CA
1226	Aaron	K.	VA
1227	Dennis	L.	FL
1228	Maria	L.	FL
1229	Megan	H.	MA
1233	William	R.	CA
1234	Sharon	R.	CA
1235	Laura	I.	VA
1236	Steven	I.	VA
1237	Henry	C.	VA
1238	James	C.	LA

JND Identifier	First Name	First Initial of Last Name	State/Province
1239	Jessica	C.	LA
1240	Gene	W.	PA
1242	Lynn	M.	NY
1243	Mary	T.	PA
1244	Carl	G.	VA
1247	Glenn	J.	IL
1248	Michael	C.	CO
1253	Tommy	H.	AL
1255	August	M.	CA
1257	Jeremiah	K.	CA
1259	Catherine	K.	IL
1261	Arlene	W.	OR
1262	Peter	A.	OR
1263	Sarena	B.	OR
1264	Lee	C.	OR
1265	Maria	M.	OR
1269	Michelle	O.	GA
1270	James	O.	GA
1271	Betsy	A.	VA
1272	Logan	A.	VA
1275	Devin	S.	CA
1276	David	S.	CA
1278	Lauren	L.	NY
1280	Felicia	E.	VA
1281	John	K.	VA
1282	Philip	M.	OH
1283	Douglas-Emery:	A.	TX
1286	Linda	B.	MA
1287	Craig	S.	ND
1288	Dale	T.	PA
1289	John	H.	PA
1290	David	D.	NY
1291	Michael	L.	GA
1292	Douglas	W.	MA
1293	Megan	K.	GA
1296	David	S.	MA
1297	Tanisha	M.	AZ
1298	James	S.	MA



<b>JND Identifier</b>	<b>First Name</b>	<b>First Initial of Last Name</b>	<b>State/Province</b>
1299	Amber	S.	OH
1300	Shari	W.	SD
1302	Bobby	G.	TX
1304	Russell	J.	MD
1305	Sumitra	C.	CA
1308	David	L.	WA
1309	Kari	L.	WA
1310	Margaret	R.	FL
1311	Bradley	G.	FL
1313	Nancy	B.	IL
1315	Sandra	M.	NY
1316	Eric	L.	NJ
1317	Michael	K.	TX
1318	Patricia	R.	PA
1322	Eric	B.	MI
1323	Christopher	H.	IN
1325	Max	P.	NV
1326	Ting	P.	NV
1327	Christina	A.	NH
1328	Trevor	M.	WI
1331	Kelly	J.	IN
1333	Maria	R.	FL
1335	Louella	L.	PA
1336	Jason	G.	MN
1338	Paul	R.	FL
1339	Michelle	R.	FL
1340	Candice	G.	CA
1341	Mark	G.	CA
1342	Mary	C.	IN
1345	Johnny	S.	TN
1349	Jamin	P.	TX
1350	Joyce	S.	TX
1351	Daniel	C.	IL
1352	Chad	S.	IL
1353	Susan	A.	MA
1354	Patricia	A.	FL
1355	Michael	G.	FL
1357	Matthew	T.	VA

JND Identifier	First Name	First Initial of Last Name	State/Province
1358	Donald	S.	IL
1359	Richard	J.	VA
1361	Ellen	S.	WI
1362	Steven	F.	VA
1364	Lisa	S.	MN
1366	Darrell	M.	CO
1367	Kellie	F.	MA
1368	Abraham	C.	CA
1369	Nicole	C.	FL
1370	Doug	K.	MA
1371	Patricia	M.	CA
1372	Chad	L.	TX
1373	Vincent	L.	CT
1375	Wylene	T.	MO
1376	Jarrett	J.	NY
1378	Carol	W.	FL
1381	Christine	G.	FL
1382	Stacy	F.	WA
1383	Brandon	H.	WA
1384	Vikki	H.	CA
1385	Raymond	R.	OR
1386	Jonathan	R.	WA
1388	Randall	B.	NV
1389	Hope	B.	NV
1390	Yvonne	L.	NV
1393	Gregory	G.	NV
1395	Shelby	H.	NV
1396	Laura	F.	NV
1399	Vladimia	K.	NV
1400	Robert	F.	NV
1401	Christina	S.	NV
1402	Andre	G.	NV
1403	Buffy	G.	NV
1404	Marie	W.	NV
1406	Nancy	P.	NV
1407	Valerie	M.	NV
1408	Peter	T.	NV
1409	Eric	S.	NV

JND Identifier	First Name	First Initial of Last Name	State/Province
1410	Michael	S.	NV
1411	Derek	P.	NV
1412	Jerome	S.	NV
1413	Julia	M.	NV
1414	Paris	M.	NV
1415	Emily	M.	NV
1416	Glenn	L.	NV
1418	Patricia	L.	MA
1419	Dale	W.	MO
1421	Larry	B.	WA
1426	Kurt	D.	MD
1427	Francine	H.	MD
1428	Carol	L.	NC
1431	Daniel	H.	NV
1433	Diane	M.	TX
1434	Carol	R.	TX
1435	Robert	R.	TX
1436	Sammy	L.	CA
1437	Michael	J.	MA
1438	Kerri	G.	MA
1439	Carol	K.	DC
1441	Jeremiah	R.	IL
1442	Renee	G.	IL
1443	Edith	T.	PA
1444	Devin	T.	FL
1445	Sherry	R.	FL
1447	Andrew	R.	CA
1448	Salvatore	T.	PA
1450	Christopher	M.	PA
1451	Thomas	G.	FL
1455	Mary	E.	MD
1458	Jimmie	S.	LA
1459	Jonathan	N.	IL
1462	Nathan	B.	MI
1463	Michael	B.	NY
1464	Timothy	B.	WA
1465	Whitney	B.	WA
1467	Anthony	W.	CT

JND Identifier	First Name	First Initial of Last Name	State/Province
1468	Robert	S.	NY
1469	Paul	J.	NY
1470	Maxwell	T.	CO
1471	Kevin	C.	CA
1472	Jessica	B.	OK
1473	Mark	P.	VA
1474	Erik	K.	MD
1475	Leon	H.	CA
1476	Zelimir	L.	WA
1480	Joshua	S.	WA
1481	Martin	B.	MD
1482	Vivian	B.	MD
1483	Bradley	C.	MI
1487	Mary	S.	WA
1489	Candi	R.	TN
1490	Marion	F.	SC
1491	Donna	J.	TX
1494	David	O.	CA
1496	Mitchell	B.	OK
1497	Katherine	M.	CO
1501	Robert	C.	NC
1503	Thomas	N.	UT
1504	Daniel	P.	DC
1507	Sonia	T.	IL
1508	Robert	T.	IL
1509	Brett	C.	PA
1510	Magdalena	B.	CA
1511	Jack	N.	NY
1512	Alexander	F.	NJ
1513	Lauren	F.	NJ
1516	Martha	K.	MD
1519	Carl	W.	OR
1521	Amanda	E.	NJ
1525	Bryn	F.	CO
1527	Caroline	P.	PA
1528	Cheryl	R.	MD
1530	Christine	A.	NY
1531	Christine	D.	MO

JND Identifier	First Name	First Initial of Last Name	State/Province
1532	Clark	H.	MN
1534	Daniel	H.	MN
1535	David	H.	VA
1536	Demonta	R.	TX
1538	Diane	M.	AZ
1539	Douglas	D.	MO
1545	Ginger	H.	UT
1546	Holly	P.	VA
1547	Hope	G.	IL
1548	Jacqueline	S.	NV
1549	James	B.	NV
1552	Jennifer	M.	HI
1554	Joel	V.	NV
1556	Joseph	B.	NV
1557	Josephine	D.	TX
1559	Juan	R.	NV
1563	Kim	R.	NC
1566	Lawrence	Y.	CA
1568	Linda	B.	PA
1569	Linda	S.	NV
1570	Linda	D.	GA
1572	Lisa	L.	MN
1576	Luther	C.	CA
1578	Maggie	Y.	CA
1584	Mary	D.	NJ
1586	Mathew	S.	WV
1587	Matthew	G.	IL
1588	Matthew	S.	IL
1589	Maximilian	R.	FL
1590	Michael	G.	NV
1591	Michael	R.	TX
1592	Michael	L.	NY
1593	Minerva	G.	IL
1595	Omotinuke	J.	MD
1598	Peter	O.	NV
1600	Regine	B.	CA
1601	Richard	I.	NY
1602	Robert	G.	IL

<b>JND Identifier</b>	<b>First Name</b>	<b>First Initial of Last Name</b>	<b>State/Province</b>
1603	Rochelle	S.	NV
1604	Sandra	M.	AZ
1605	Sanford	B.	NV
1607	Shawn	W.	MN
1608	Sheila	C.	SC
1609	Shelly	S.	MT
1610	Stanley	B.	OH
1612	Stephen	D.	NJ
1614	Takeshi	N.	NC
1615	Tamera	C.	GA
1616	Ted	C.	NV
1617	Thomas	D.	GA
1618	Timothy	J.	HI
1619	Timothy	C.	AZ
1620	Tommy	D.	TX
1621	Tracey	W.	NV
1623	Vanessa	U.	FL
1624	Vicki	F.	TX
1625	Wenceslao	M.	NV
1626	Zachary	P.	VA
1628	Alexander	H.	NY
1631	Connie	C.	TX
1632	Emily	P.	ME
1633	Eric	N.	FL
1635	Francis	W.	NY
1640	Terrie	S.	TX
1641	Theodore	R.	TN
1643	David	K.	WA
1646	Amy	T.	NY
1650	Celia	S.	VA
1651	Christopher	A.	SC
1652	Christopher-Michael	N.	CA
1653	Craig	G.	CA
1655	Jeffrey	H.	NY
1656	John	T.	CA
1659	Kathleen	D.	FL
1660	Linda	T.	CA
1663	Randolph	W.	CA

<b>JND Identifier</b>	<b>First Name</b>	<b>First Initial of Last Name</b>	<b>State/Province</b>
1665	Rhonda	W.	OK
1666	Robert	A.	NY
1667	Samantha	A.	SC
1668	Tingkit	M.	CA
1669	William	W.	CT
1670	Adrienne	C.	DE
1671	Alejandro	G.	GA
1675	Bonnie	H.	PA
1677	Brian	P.	PA
1678	Chris	K.	FL
1680	David	R.	IL
1681	Deborah	S.	AK
1682	Eric	S.	MA
1683	Hans	K.	WA
1684	Jefferson	I.	LA
1689	Kristin	C.	CO
1695	Mathew	G.	DC
1696	Matthew	W.	HI
1697	Paul	F.	TX
1699	Robert	A.	NC
1700	Sarah	W.	TX
1701	Shawntay	F.	DE
1702	Shayna	K.	WA
1703	Steven	Y.	AK
1704	Teala	C.	NV
1705	Timothy	K.	MI
1706	Tonya	K.	FL
1707	Tyesha	D.	CA
1709	Akeem	R.	GA
1710	Akili	D.	NV
1711	Alan	B.	NC
1713	Anna	H.	FL
1715	Christopher	M.	NC
1720	Dennis	E.	OR
1721	Dennis	M.	IA
1722	Donald	P.	TX
1724	Dugal	U.	FL
1725	Enric	R.	CA

<b>JND Identifier</b>	<b>First Name</b>	<b>First Initial of Last Name</b>	<b>State/Province</b>
1726	Gerald	G.	ID
1727	Gregory	K.	NY
1729	James	E.	NV
1730	Jana	P.	CA
1731	Jason	K.	NV
1733	Joe	C.	KS
1736	Katharine	S.	TX
1738	Laiken	G.	CA
1740	Lindsey	G.	AZ
1741	Lorilee	D.	OK
1743	Marilyn	E.	OR
1744	Mark	W.	AZ
1745	Matthew	K.	VA
1749	Patricia	C.	FL
1750	Paul	S.	OH
1751	Paul	P.	IL
1753	Ramona	C.	CA
1755	Rex	F.	MO
1758	Sam	P.	CO
1760	Sean	S.	IL
1762	Stacey	C.	NV
1764	Stephanie	B.	NV
1765	Steven	B.	NC
1767	Thomas	B.	CA
1768	Thomas	S.	TX
1770	Velma	W.	NC
1771	Veronica	S.	IL
1772	Yonatan	N.	CA
1774	Amy	B.	MN
1776	Bethany	S.	DC
1778	Clenery	M.	IL
1780	Jason	R.	CA
1783	Kimberly	S.	CO
1786	Mark	L.	FL
1787	Maryse	R.	MO
1788	Meredith	O.	VA
1789	Mustafa	A.	NJ
1792	Robert	S.	TN



<b>JND Identifier</b>	<b>First Name</b>	<b>First Initial of Last Name</b>	<b>State/Province</b>
1793	Ryan	P.	MN
1794	Samuel	P.	MT
1795	Alexandra	P.	MI
1796	Aurelia	P.	MI
1797	Brian	R.	PA
1798	Eric	P.	ID
1799	Gail	T.	AR
1801	Gregg	D.	PA
1802	James	L.	MI
1807	Veronica	P.	ID
1809	Claire	T.	VA
1812	Debra	F.	MN
1813	Debra	M.	VA
1814	James	D.	MA
1816	Jennifer	L.	NV
1818	Mary	M.	IL
1819	Matthew	S.	CA
1820	Meeyoung	L.	OK
1821	Robert	F.	MN
1822	Scott	L.	OK
1823	Sergiu	P.	MI
1825	Susanne	G.	TX
1826	Victor	M.	NV
1827	William	R.	OH
1828	Alaric	C.	NV
1830	Anoni	H.	CA
1832	Barry	H.	NV
1833	Chanell	B.	NJ
1834	Christina	S.	NV
1835	Christopher	T.	NY
1837	Douglas	C.	NV
1838	Enrique	H.	CA
1839	Erica	Z.	VA
1840	Ernestine	E.	CA
1842	Gerard	P.	IN
1845	Jeffrey	W.	NY
1849	Kaylin	M.	WA
1852	Lillyan	G.	NV

<b>JND Identifier</b>	<b>First Name</b>	<b>First Initial of Last Name</b>	<b>State/Province</b>
1854	Marco	D.	CA
1855	Robert	C.	PA
1859	Wendy	W.	NY
1862	Carol	B.	PA
1863	Carol	E.	NC
1864	Christopher	G.	CA
1865	Daniel	K.	VT
1869	Elizabeth	F.	CA
1871	Evan	H.	NY
1872	Feei-Ching	C.	NY
1874	George	N.	AZ
1875	Hui	N.	IN
1876	Jabari	S.	GA
1877	Jack	N.	NY
1881	Jenna	W.	CA
1885	Jonathan	T.	TX
1886	Joseph	D.	NJ
1890	Julia	M.	CO
1891	Katherine	K.	GA
1892	Kelsea	K.	NV
1893	Kikelomo	B.	TX
1894	Krystal	A.	AL
1896	Kyle	M.	CO
1898	Liam	S.	CA
1899	Lisa	R.	FL
1900	Mark	G.	IN
1901	Marvin	K.	GA
1902	Maryland	V.	VA
1903	Nekeya	O.	KS
1904	Oksana	G.	CA
1905	Pamela	R.	VA
1906	Paul	R.	FL
1907	Paul	W.	CA
1908	Phyllis	H.	VA
1910	Reagan	W.	CA
1911	Robert	W.	SC
1914	Sharon	K.	PA
1915	Stephen	S.	MA

JND Identifier	First Name	First Initial of Last Name	State/Province
1916	Steven	O.	PA
1917	Thomas	U.	CO
1919	Jayeong	Y.	UT
1920	Johmeil	M.	NY
1922	Max	P.	OK
1923	Ronald	N.	MA
1925	James	W.	MA
1930	Mark	P.	SC
1931	Oleg	B.	WA
1932	Robert	O.	OR
1933	Sarah	D.	GA
1934	Sarah	W.	IL
1935	Yujin	K.	TX
1938	Braven	M.	FL
1941	Damon	R.	NV
1944	Ekaterina	S.	PA
1945	Evan	O.	CA
1946	Gavin	S.	MS
1947	Geoffrey	M.	CA
1948	Gregory	K.	CA
1951	Ilya	S.	PA
1953	John	S.	VA
1954	Julia	R.	FL
1957	Midori	K.	NY
1960	Riwanto	M.	NY
1965	Steven	W.	VA
1966	Trina	D.	CA
1967	Valarie	S.	NY
1968	Carla	R.	TX
1969	Cristina	W.	FL
1970	Dax	K.	CA
1971	Douglas	T.	NC
1972	Gregory	H.	OH
1973	Jason	P.	TX
1974	Jennifer	J.	NY
1975	Katherine	B.	VA
1977	Peter	I.	VA
1978	Sean	T.	FL

JND Identifier	First Name	First Initial of Last Name	State/Province
1979	Sherrie	H.	OH
1982	Richard	K.	NH
1983	Robin	P.	MI
1984	Karl	P.	MI
1985	Daryl	D.	TN
1986	Sherry	D.	TN
1987	Bryan	D.	IN
1988	Deloris	D.	NC
1989	Daniel	H.	FL
1990	Andrew	R.	SC
1991	Christopher	C.	NE
1992	Darian	D.	NJ
1993	Gary	S.	PA
1995	Francis	O.	CT
1997	Charles	C.	NY
1999	Bruce	H.	NC
2000	Marilyn	H.	NC
2001	Nora	M.	OH
2002	Horace	J.	OH
2003	Tuan	L.	NJ
2004	Viviana	T.	NJ
2005	Peter	F.	TX
2006	Cynthia	T.	VA
2009	John	F.	FL
2010	Paul	R.	WA
2011	Jona	H.	KY
2012	Maryland	V.	NY
2013	Ryan	R.	OR
2015	Sandra	H.	NJ
2016	Bette	T.	NC
2017	James	D.	FL
2019	Robert	B.	TX
2020	Dianne	M.	CA
2021	Christopher	M.	IA
2022	Leslie	B.	CA
2023	Connie	M.	FL
2025	Kweku	B.	MD
2026	Jacqueline	C.	NJ

JND Identifier	First Name	First Initial of Last Name	State/Province
2027	Tracy	M.	MI
2029	Jaime	M.	FL
2030	Egidio	G.	FL
2032	Nancy	C.	NJ
2037	Sara	K.	MD
2038	Stephen	K.	MD
2044	Tommy	J.	TX
2045	Sherri	C.	NV
2046	Yansey	D.	NV
2047	Adriana	R.	NV
2048	Diane	C.	NV
2050	Ashley	L.	NV
2051	Martha	L.	NV
2053	Scott	S.	NV
2054	Nina	S.	NV
2055	Scott	F.	NV
2056	Daphne	B.	TX
2057	Irene	N.	NV
2058	Lance	N.	NV
2059	Brian	C.	VA
2060	Lawrence	H.	IL
2061	Marshel	H.	IL
2062	Barbara	U.	MO
2063	Alexander	E.	FL
2064	Corey	M.	NJ
2065	Rex	J.	CA
2066	Randall	K.	TX
2067	Julie	K.	TX
2068	David	R.	OK
2070	Cara	C.	VA
2071	Kevin	L.	OR
2073	Yasemin	A.	NJ
2074	Michael	B.	CA
2075	Linda	T.	CA
2076	Guochun	L.	MA
2077	Beau	B.	CO
2079	Ronald	L.	IN
2080	Zachary	M.	GA

JND Identifier	First Name	First Initial of Last Name	State/Province
2081	Sasha	M.	GA
2082	Yvonne	W.	TX
2084	Paul	L.	VA
2085	Marjorie	G.	AZ
2086	Ali	T.	CA
2087	Troy	D.	OK
2088	Christopher	V.	FL
2089	Deron	C.	MO
2090	Charles	I.	MA
2091	Hershula	D.	SC
2093	Jannine	S.	NH
2094	Kasra	H.	MA
2095	Mahsa	H.	MA
2097	Kenneth	M.	UT
2100	Richard	B.	MA
2101	Nancy	M.	VA
2102	Katrin	K.	NY
2103	Stuart	T.	PA
2107	Tamika	J.	CA
2109	Roxanne	E.	NV
2112	James	H.	NV
2114	Roderick	C.	NV
2117	Lauren	D.	MI
2119	Randall	R.	OH
2120	Sandra	R.	OH
2122	Willie-Washington:	W.	NV
2123	Kimberly	W.	NV
2126	Leanne	M.	FL
2127	Karl-Alan:	M.	FL
2128	Marilyn	G.	FL
2129	Joshua	G.	FL
2130	James	K.	MD
2131	Linda	K.	MD
2132	Dmytro	P.	NY
2133	Roberta	R.	CA
2134	Nicholas	A.	WA
2135	Chase	M.	SD
2136	Peter	J.	CA

JND Identifier	First Name	First Initial of Last Name	State/Province
2138	Robert	J.	WA
2139	Chikita	S.	DC
2140	Deepa	B.	CA
2141	Nicolette	S.	CA
2143	Rosemarie	C.	MI
2145	Merion	F.	NV
2146	Fortunato	J.	NV
2148	Raynette-Lin	F.	NV
2150	Michelle	R.	CA
2151	David	G.	FL
2152	Erin	G.	FL
2153	Jessica	M.	WA
2154	Joseph	M.	WA
2157	Beverly	H.	IL
2158	John	R.	WA
2161	Ivy	M.	UT
2162	Jacqueline	G.	TN
2163	Juliet	D.	MD
2164	Colin	S.	MO
2167	Akiko	M.	PA
2169	Lucille	P.	MD
2170	Matthew	P.	FL
2173	Thomas	M.	FL
2175	Cheryl	W.	CA
2176	Linda	H.	TX
2177	Linda	P.	CA
2178	Rowene	H.	NY
2179	James	H.	NY
2180	Phoebe	L.	CA
2181	Stan	L.	MA
2182	Maureen	A.	PA
2184	Kathleen	T.	MA
2185	Paul	S.	CA
2186	Jack	M.	NC
2187	Darren	A.	FL
2188	Jim	M.	PA
2190	Hitasha	M.	CA
2191	Anna	G.	OK

JND Identifier	First Name	First Initial of Last Name	State/Province
2192	Paria	T.	VA
2195	Erica	G.	CT
2196	Vicki	H.	WI
2201	Vicki	P.	WY
2202	Daniel	T.	UT
2205	John	L.	CA
2206	Firat	G.	OK
2207	Diana	L.	CA
2209	Anslem	D.	MD
2210	Joseph	R.	OR
2211	James	W.	FL
2212	Faye	S.	SC
2213	Dolores	B.	MI
2214	Manikandan	R.	CA
2215	Gandhimathi	M.	CA
2218	Mansa	B.	MD
2219	Mary	T.	MI
2220	John	S.	TX
2222	Patricia	T.	CA
2224	David	T.	CA
2225	Alexander	C.	MA
2226	Zachary	C.	CA
2227	Bryan	B.	GA
2228	Shaa	C.	MA
2229	Naomi	R.	KY
2230	William	R.	KY
2231	Jessica	S.	GA
2232	Jon	A.	CO
2233	James	S.	AZ
2234	Robert	B.	HI
2235	Elena	E.	NV
2236	Martin	H.	IL
2237	Alison	B.	CO
2238	Mariann	S.	CO
2239	Rodney	H.	UT
2240	Sidney	W.	CA
2244	Yolanda	N.	CA
2245	Wilson	C.	CA



JND Identifier	First Name	First Initial of Last Name	State/Province
2247	Tena	G.	CA
2248	Steven	M.	CA
2249	Sandra	M.	CA
2250	Steffanie	T.	CA
2251	Sabina	A.	CA
2252	Richard	N.	CA
2253	Raul	B.	CA
2254	Monica	S.	CA
2258	Linda	S.	CA
2259	Junius	N.	CA
2261	Eula	D.	CA
2264	David	A.	CA
2266	Cynthia	J.	CA
2268	Christine	Q.	CA
2269	Christine	N.	CA
2272	Andrew	R.	CA
2273	Alicia	W.	TX
2274	Hamid	M.	MS
2275	Rosemary	F.	FL
2276	Todd	N.	WA
2278	Kevin	F.	FL
2282	Steve	R.	CO
2284	Fatima	R.	NV
2285	Fara	R.	NV
2286	Felix	R.	NV
2287	Dennis	M.	CA
2289	Alexey	T.	WA
2290	Jeremy	A.	CA
2291	Sharon	R.	MO
2292	Allen	M.	MN
2293	Anna	O.	WI
2294	Peter	C.	NH
2296	Jerome	G.	MI
2297	Judith	G.	MI
2298	Haneef	A.	NJ
2299	Daniel	O.	NY
2300	Alibrando	P.	CA
2301	Natalie	N.	CA

JND Identifier	First Name	First Initial of Last Name	State/Province
2302	William	H.	NY
2303	George	G.	NY
2305	Yusef	A.	PA
2306	Hunter	S.	KY
2307	Wesley	S.	KY
2308	Jabrina	B.	IL
2309	Mark	B.	CA
2311	Francesca	A.	MA
2312	Immaculata	G.	MA
2313	Edward	.	MA
2314	Jose	V.	GA
2317	Jeffrey	D.	CO
2318	Kevin	B.	HI
2319	John	J.	OH
2321	Suzanne	O.	NJ
2322	Sarah	S.	TX
2324	Laurence	I.	WA
2325	Delight	R.	WA
2327	Collin	C.	GA
2329	Justin	C.	MA
2330	George	J.	NC
2331	Jeremy	H.	NY
2333	Audrey	J.	NV
2334	Darrel	J.	NV
2336	Sergio	V.	NV
2340	Ernesto	C.	NV
2341	Lorenzo	S.	CA
2342	Senja	G.	TX
2343	Carol	M.	MA
2344	Karl	G.	CA
2345	Gloria	T.	CA
2346	Susan	B.	MN
2347	Eric	W.	MN
2348	Zareh	S.	CA
2351	Thomas	M.	PA
2352	Cindy	H.	PA
2355	Charles:	J.	FL
2356	Brett	J.	NY

JND Identifier	First Name	First Initial of Last Name	State/Province
2359	Dana	L.	TX
2360	Monique	F.	FL
2361	Raivis	K.	CA
2362	Sukaina	S.	WA
2363	Christopher	M.	UT
2364	Lynda	M.	UT
2367	Hsiu-Wei	L.	CA
2368	Pamela	N.	NC
2369	Wesley	H.	OH
2371	Tyree	L.	CA
2373	Camille	C.	FL
2374	Lynette	C.	FL
2376	Jingquan	L.	NY
2377	Sai	L.	MI
2378	Joseph	B.	CA
2380	John	C.	PA
2381	Nicholas	S.	MN
2382	Cathryn	S.	PA
2383	Lydia	O.	CA
2384	Mario	O.	CA
2385	Samar	S.	CA
2387	Tamara	J.	OK
2389	Steven	A.	OR
2390	Janet	A.	OR
2391	Brittany	M.	UT
2393	Sohail	A.	NY
2395	Kenneth	S.	AE
2397	Mark	E.	TX
2399	Karen	F.	LA
2401	Justin	D.	MD
2404	Christine	R.	WA
2405	Christopher	R.	KY
2408	Christopher	R.	CO
2409	Angela	W.	MA
2410	Aravinthan	S.	MA
2412	Barbara	N.	NY
2415	Heidi	H.	CA
2416	Sharon	T.	CA

JND Identifier	First Name	First Initial of Last Name	State/Province
2417	Steven	H.	CA
2418	Ronald	J.	CA
2419	George	K.	MN
2421	Nathaniel	F.	MA
2424	Yulia	P.	WA
2425	Robert	C.	OK
2427	Marsha	C.	OK
2428	Shontia	J.	FL
2430	Margot	R.	MD
2433	Dawn	S.	CA
2434	Floyd	T.	CA
2437	Maksim	L.	WA
2438	Edward	F.	MI
2441	Brian	H.	OH
2443	Clay	B.	WA
2445	Diana	A.	PA
2448	James	F.	PA
2449	James	M.	TX
2450	James	F.	TN
2452	John	C.	AZ
2453	Julie	E.	TN
2454	Ken	O.	MO
2455	Lisa	M.	PA
2458	Minal	G.	OK
2459	Richard	E.	VA
2460	Ruby	F.	PA
2461	Shawn	R.	AR
2462	Stephanie	F.	PA
2464	Vincent	B.	NV
2465	Vishal	G.	OK
2466	Charles	D.	ID
2467	Bryan	K.	KS
2469	Noah	S.	OH
2472	William	F.	CA
2473	Jonathan	W.	TN
2475	Richard-Leroy:	J.	CA
2477	Christian	F.	PA
2478	Shaina	P.	NV

JND Identifier	First Name	First Initial of Last Name	State/Province
2480	Michael	P.	IL
2481	Cedric	E.	FL
2482	Karen	B.	MD
2483	Stephen	H.	NC
2484	Susan	H.	NC
2485	Henrietta	B.	LA
2486	Bradley	A.	CA
2487	Ans	I.	DC
2488	Gael	C.	CA
2489	Heidi	C.	CA
2491	Brian	H.	KY
2492	Rose	L.	MD
2493	James	B.	IN
2497	Walter	F.	CO
2498	Julie	C.	MN
2499	Patricia	C.	DE
2500	Frank	F.	CO
2501	Kelly	R.	CO
2502	Deborah	P.	IL
2503	Harrison	G.	NY
2504	Devin	H.	WA
2505	Wade	W.	MD
2506	Anna	D.	WA
2507	Terence	T.	NY
2508	Dorothy	T.	NY
2509	Tiana	C.	DE
2510	Cindy	A.	TX
2511	Craig	H.	FL
2512	Justin	W.	CA
2513	Steven	C.	FL
2514	Sarah	W.	CA
2516	Kendall	M.	TX
2517	Eric	J.	FL
2518	Barbara	G.	MD
2519	Judith	C.	MD
2522	Adil	K.	NJ
2523	Siarhei	H.	NC
2524	Timothy	R.	WI

JND Identifier	First Name	First Initial of Last Name	State/Province
2530	Sing	Y.	NY
2532	Ah	L.	NY
2533	Melissa	L.	IA
2534	Christopher	L.	IA
2535	Nathaniel	J.	FL
2536	Jared	B.	FL
2537	Leslie	Y.	FL
2538	Lin	Y.	CO
2539	David	H.	CO
2540	Francine	S.	NJ
2541	Mary	S.	VA
2542	Norman	C.	MI
2543	Edith	C.	MI
2544	Brian	W.	MI
2545	Jo	C.	NC
2546	Michael	C.	NC
2548	Tong	Z.	NY
2549	Hua	Z.	NY
2551	Ai	Z.	NY
2552	Donald	B.	TN
2553	Ecieno	C.	FL
2554	Yuriy	T.	CA
2555	Yelena	O.	CA
2556	Aleksandr	O.	CA
2557	Kimberly	G.	TN
2558	Reem	H.	MA
2559	Mark	S.	VA
2560	Marcia	C.	FL
2562	Daniel	C.	NJ
2563	Sheila	S.	OH
2564	Brett	S.	OH
2565	Caitlin	H.	OR
2567	Jodi	C.	OR
2568	Matthew	M.	NC
2569	Bettina	H.	NC
2570	Mallory	C.	OR
2573	Bernard	S.	IL
2574	Brian	G.	MI

JND Identifier	First Name	First Initial of Last Name	State/Province
2575	Jodi	H.	CA
2577	Matthew	R.	MI
2578	Krista	P.	CT
2579	Diana	L.	VA
2580	Stacey	S.	VA
2581	Cortney	S.	PA
2582	Michael	T.	PA
2583	Adam	R.	VA
2584	Dominick	J.	FL
2585	Karen	V.	FL
2586	Rayon	B.	NJ
2587	Di	W.	TX
2588	Xue	D.	TX
2589	John	R.	AZ
2591	Julianne	P.	WA
2592	Beth	M.	AZ
2593	Connie	D.	AZ
2594	Curtis	B.	AZ
2595	Kevin	C.	NY
2596	Jessie	S.	TX
2597	Susan	S.	TX
2598	William	F.	CA
2599	Charles	F.	IL
2603	Todd	P.	CT
2605	Vickie	B.	IN
2606	Laura	K.	NJ
2609	Sarah	C.	IL
2610	Peter	C.	IL
2612	Thomas	R.	NV
2613	Jeffrey	W.	LA
2614	Jyh-Kai	W.	LA
2615	Tong-Chai	W.	LA
2617	Sara	P.	UT
2622	Keenan	E.	MD
2623	Sarah	A.	NY
2626	Robert	B.	MA
2627	Ryan	D.	VA
2630	Ali	M.	NY

JND Identifier	First Name	First Initial of Last Name	State/Province
2632	Rebecca	E.	WA
2634	Milton	S.	FL
2635	Linda	S.	FL
2636	Roxly	Z.	CA
2637	Stephanie	B.	OH
2638	Thomas	B.	OH
2640	William	I.	OH
2641	Daed	N.	NY
2642	Ammar	M.	NY
2643	Youssef	M.	NY
2644	Bachar	M.	NY
2645	Russell	M.	TX
2647	Angel	G.	CA
2648	Michael	S.	OH
2650	Angel	H.	OH
2653	Briana	B.	OH
2655	Gregory	F.	OH
2656	Thaddeus	W.	PA
2657	Laura	W.	PA
2658	Ruel	S.	FL
2663	Shani	H.	OH
2664	George	N.	FL
2665	Stella	N.	FL
2666	Milagros	N.	FL
2667	Arthur	N.	FL
2670	Meghan	H.	VA
2671	Odis	I.	VA
2672	Hollie	M.	GA
2673	Michael	M.	GA
2674	Ruth	Z.	VA
2676	Gary	V.	VA
2677	Dorothy	S.	NC
2678	Virginia	F.	NC
2680	Jennifer	C.	MT
2681	Audrey	C.	MT
2683	James	J.	NY
2684	Jessica	B.	ME
2686	Kathy	W.	WA



JND Identifier	First Name	First Initial of Last Name	State/Province
2689	Brenda	W.	CA
2690	William	V.	GA
2691	Michael	M.	NY
2692	Donna	F.	MN
2694	Jon	N.	FL
2695	Nicholas	W.	CO
2696	Courtney	M.	GA
2697	Sangeeta	N.	DC
2698	Ivo	K.	DC
2699	Andrea	M.	FL
2700	Robert	W.	FL
2703	Sheryl	W.	WA
2704	Ryan	R.	WA
2707	John	T.	NJ
2708	Michael	G.	CA
2709	Jessica	B.	IL
2710	Christopher	B.	IL
2711	Wendy	B.	CO
2712	Steven	B.	CO
2714	William	B.	CA
2716	Jeffrey	J.	IL
2717	Kameo	T.	OH
2718	Gary	C.	IL
2720	Laura	J.	IL
2722	Jon	H.	IL
2724	Christian	D.	WA
2725	Elana	K.	PA
2727	Lauren	W.	OH
2728	Andrei	M.	NY
2730	Jocelyn	Y.	WA
2731	Joshua	M.	WA
2732	Travis	H.	TX
2734	David	E.	TX
2736	Sebastian	R.	CA
2737	Marilyn	M.	SD
2739	Daniele	I.	IL
2742	Tiffany	S.	CA
2744	Domininc	P.	TX

JND Identifier	First Name	First Initial of Last Name	State/Province
2745	Treyvion	H.	OH
2747	Howard	J.	WA
2748	Andrew	C.	IL
2749	Diane	F.	VA
2751	Adriel	A.	CA
2753	Tadele	A.	CA
2754	Taiesha	B.	NC
2755	Trudy	S.	SD
2756	Stepehn	D.	SD
2757	Jemor	B.	NC
2759	Stacy	L.	MO
2760	Darlene	T.	AL
2761	John	C.	LA
2763	Eleanor	M.	MI
2764	John	W.	RI
2765	Barbara	L.	MO
2766	Timothy	L.	MO
2767	William	L.	MO
2768	Helen	H.	PA
2769	Colleen	B.	PA
2770	Robert	F.	NY
2771	Ronald	B.	PA
2773	Matthew	R.	NY
2774	Steven	D.	CA
2775	Shahram	K.	MI
2776	Po	W.	TX
2777	Carol	D.	OH
2779	Jacqueline	G.	OH
2781	Robert	L.	FL
2782	Bre'Ona	H.	OH
2783	Paulo	A.	AZ
2784	Alexander	B.	WA
2786	Ashish	S.	WA
2789	Lily	L.	CA
2790	Branden	B.	FL
2791	Nicolette	B.	FL
2792	Carol	D.	CO
2793	Timothy	D.	CO

JND Identifier	First Name	First Initial of Last Name	State/Province
2794	Nancy	S.	MD
2795	Dorothy	R.	IL
2796	Bakeerathan	T.	NY
2797	Rasakumaran	M.	NY
2798	Joseph	R.	IL
2799	Adam	C.	NC
2801	Lila	C.	NC
2804	Nicholas	L.	MD
2805	Elyssa	K.	NY
2806	Nancy	K.	PA
2807	Douglas	L.	CT
2810	Steven	J.	CA
2811	Gabrielle	D.	RI
2812	Jennifer	F.	VA
2813	Regina	J.	WA
2814	Stephen	B.	NY
2818	Melody	O.	GA
2820	Scott	G.	GA
2822	Becky	R.	OH
2823	Romello	M.	AZ
2824	Randell	C.	MO
2825	Dinae	C.	MO
2827	Cheyenne	H.	CO
2828	Peter	G.	SC
2829	Ranilesh	P.	CA
2830	Aleksandra	S.	NC
2831	Justin	D.	NC
2833	Joan	W.	PA
2834	Joanne	G.	WA
2835	Carol	S.	NJ
2836	Peter	F.	MA
2837	Sandra	N.	OH
2839	William	L.	NV
2840	Douglas	N.	CO
2842	Caron	H.	CO
2843	Alan	M.	OR
2844	Ronald	W.	MI
2845	Vicky	W.	MI

JND Identifier	First Name	First Initial of Last Name	State/Province
2847	William	H.	CT
2852	Jack	L.	VA
2853	Suzanne	B.	LA
2854	Karen	M.	MD
2855	Mary	B.	DC
2857	Wendy	Q.	NY
2858	Abby	Q.	TX
2859	Alexander	R.	CA
2861	Crystal	M.	CA
2862	Jeremy	M.	CA
2863	Roland	W.	OR
2864	Tanya	C.	NJ
2865	Danielle	C.	NJ
2868	Clarence	B.	AZ
2869	Phyllis	B.	NY
2870	Neil	J.	SD
2872	Jimmie	B.	IL
2873	Poorna	R.	CA
2875	Michael	N.	DE
2880	Muhammad	D.	FL
2881	Keith	J.	VA
2882	Angela	A.	VA
2885	Jemy	A.	CA
2886	Julie	L.	PA
2887	Wallace	J.	PA
2888	David	L.	MA
2890	Douglas	T.	NC
2892	Lynn	N.	DE
2893	Robert	L.	CA
2895	Samone	H.	AZ
2896	Carol	D.	MD
2897	Alexia	R.	CA
2899	Vincent	G.	CA
2900	Keith	L.	NC
2901	Mark	B.	NC
2902	Amanda	B.	NC
2903	Shea	F.	TX
2904	Ryan	H.	MD

JND Identifier	First Name	First Initial of Last Name	State/Province
2905	Jeanene	L.	CA
2906	Joyce	G.	VA
2907	Destinee	L.	AZ
2909	Bonnie	P.	UT
2910	Dirk	P.	UT
2911	Roger	S.	ND
2912	Shauchenka	D.	CA
2917	Michael	V.	NV
2918	Erlinda	C.	NV
2920	Alafijia	T.	MD
2921	Jason	M.	CO
2923	Harvey	C.	NJ
2924	Joseph	C.	NJ
2925	Joyce	C.	NJ
2926	Jasmine	B.	NJ
2927	Farshid	B.	NJ
2928	David	C.	PA
2930	Terrace	E.	CA
2931	Jared	H.	NE
2932	Sara	H.	NE
2933	Darlla	B.	SD
2934	Sydney	K.	NC
2935	Yajuan	C.	CA
2936	Yolanda	P.	SC
2938	Erik	O.	TN
2939	Pamela	E.	MI
2940	Alice	J.	IN
2942	Kathleen	Z.	NJ
2943	David	H.	CA
2944	Jacqueline	S.	IL
2945	Faisal	M.	VA
2946	Nadya	M.	VA
2947	Megan	S.	PA
2948	Debra	S.	PA
2949	Steven	S.	PA
2951	Herbert	J.	NC
2952	Mark	R.	LA
2953	Carol	H.	KS

JND Identifier	First Name	First Initial of Last Name	State/Province
2954	Gregory	H.	KS
2955	Hongbo	T.	CA
2960	Kathleen	G.	NJ
2962	Patricia	B.	CA
2963	Krista	C.	MD
2965	David	C.	FL
2966	Sandra	M.	GA
2968	Michael	H.	VA
2970	Kasha	H.	VA
2971	Lois	S.	VA
2972	James	S.	VA
2973	Anthony	J.	FL
2976	Thomas	C.	TX
2978	Mary	H.	MN
2979	Lynne	H.	MD
2980	Mable	D.	NC
2981	Marian	D.	NC
2983	Bartram	N.	IL
2986	Kateryna	S.	CA
2987	Richard	B.	MD
2988	Teresa	B.	OK
2989	Mia	H.	PA
2990	Robert	F.	PA
2991	Beth	W.	NY
2993	Keith	A.	HI
2994	Darren	V.	IL
2995	Sierra	C.	TN
2996	Alexander	B.	CO
2997	Dianne	C.	FL
2998	Eric	C.	MD
3002	Riva	S.	NY
3003	Sophia	B.	CA
3004	John	P.	NY
3005	Sheryl	H.	UT
3007	Eric	A.	CA
3008	Rohan	W.	NY
3009	Rachael	N.	NJ
3010	Lorene	M.	FL

JND Identifier	First Name	First Initial of Last Name	State/Province
3011	Lauren	P.	IL
3013	Harold	J.	PA
3015	Thomas	W.	CT
3016	Bruce	T.	IL
3017	Gerard	B.	IL
3018	Donna	B.	IL
3020	Martin	C.	NY
3023	Toni	S.	WI
3024	Francesco	P.	NJ
3025	Deena	J.	NJ
3026	David	W.	NY
3027	Kristen	H.	WA
3028	Matthew	H.	WA
3031	Claria	P.	VA
3032	Jonathan	M.	VA
3039	Eltonia	P.	TN
3040	Donald	D.	FL
3049	Rhonda	H.	MI
3050	Kimberly	R.	MN
3052	Megan	E.	MI
3053	Thomas	B.	PA
3057	Hamidreza	N.	CA
3058	Barbara	M.	SC
3059	Elliott	L.	MN
3060	Douglas	E.	MI
3061	Alelie	R.	CA
3062	Stephon	H.	TX
3063	Joanna	K.	TX
3065	Robert	D.	WA
3067	Ingrid	J.	CO
3069	Cathy	C.	MA
3071	Julie	P.	OH
3072	Gary	C.	OH
3073	William	L.	MA
3076	John	P.	ME
3077	Jacob	D.	CA
3079	Diane	T.	NY
3080	Kyle	W.	CT

JND Identifier	First Name	First Initial of Last Name	State/Province
3081	Daniel	T.	CA
3082	Marika	W.	CT
3083	Donald	M.	PA
3085	Craig	W.	CT
3086	Justin	M.	NY
3087	Clarissa	M.	NY
3090	Ryan	W.	MT
3091	Bobby	R.	TX
3092	Randal	K.	MI
3094	Carmen	C.	FL
3095	Helen	B.	VA
3096	Benjamin	V.	MD
3097	Priti	B.	MD
3099	Julia	P.	VA
3100	Mykola	S.	CO
3101	Lyudmyla	S.	CO
3104	Hyok-Hee	Y.	MD
3105	Daniel	J.	NY
3106	Misty	B.	TX
3107	India	W.	MO
3108	Jeremy	R.	NJ
3109	Christine	R.	NJ
3111	Mehrdad	N.	CA
3113	Roslyn	B.	MD
3117	Michael	B.	CO
3118	Paul	P.	TX
3119	Jeremiah	V.	SC
3121	Ian	M.	CA
3122	Paula	S.	IN
3123	Marc	S.	IN
3126	Nina	H.	IN
3127	Eldon	H.	IN
3128	Andrew	B.	CA
3129	Kathryn	C.	CA
3130	Robert	S.	CA
3131	Masada	D.	CA
3132	Kathleen	M.	MA
3133	Andrew	G.	MA



JND Identifier	First Name	First Initial of Last Name	State/Province
3134	Sharon	A.	CA
3136	Angela	P.	NJ
3137	David	P.	NJ
3138	Bruce	B.	GA
3139	Mary	M.	AR
3140	Michael	H.	CA
3141	Khoa	N.	VA
3142	Eshagh	A.	CA
3143	Clark	H.	IN
3144	Victoria	Z.	MD
3145	Stephen	D.	PA
3146	Christopher	N.	CA
3150	Sunrise	L.	MI
3151	Elgin	W.	TX
3152	Carole	W.	TX
3153	Barbara	L.	FL
3154	Drake	B.	FL
3157	David	D.	NY
3158	Kevin	B.	UT
3159	Samantha	M.	CT
3160	Kapil	G.	NJ
3162	Mark	M.	TX
3163	Paula	A.	WI
3164	Thomas	V.	CA
3165	Barbara	R.	WI
3166	Jeannette	A.	OH
3167	Arthur	G.	MI
3168	Darvin	J.	MD
3169	Bradley	M.	GA
3171	Jasmine	W.	NY
3172	Franklin	I.	OH
3173	Johnathan	P.	FL
3174	William	T.	FL
3175	Juan	D.	FL
3176	Jeanna	P.	FL
3177	Jose	P.	FL
3178	Jackelyn	P.	FL
3179	Aminta	C.	CA

JND Identifier	First Name	First Initial of Last Name	State/Province
3180	Roman	C.	CA
3183	Amanda	D.	CA
3184	Robert	G.	CA
3186	Barbora	S.	CA
3187	Peter	F.	VA
3188	Alfredo	R.	CA
3189	Cherie	G.	VA
3190	Kenneth	G.	VA
3191	Jerry	C.	NY
3197	James	M.	CA
3198	Olivia	L.	CO
3199	Norman	L.	CO
3200	Gina	C.	CA
3201	Steven	C.	CA
3202	Rohda	L.	OH
3209	Anne	C.	PA
3212	Rogelio	G.	MI
3213	Amber	T.	OH
3214	Emil	J.	OH
3223	Joseph	H.	CA
3224	Byron	H.	OR
3225	Gregory	K.	OH
3227	Regina	I.	FL
3228	Rachel	C.	GA
3229	Fong-Yi	A.	CA
3230	Russell	E.	CA
3232	Jennifer	M.	TX
3233	Jasmine	E.	AL
3234	Joseph	M.	MD
3239	Brenda	B.	NJ
3240	Hiranya	B.	NJ
3241	Sapna	G.	NJ
3242	Elizabeth	A.	OR
3243	Susan	B.	GA
3244	Sherry	S.	NC
3245	Chong	N.	VA
3246	Jason	A.	FL
3247	Tatyana	T.	WA

JND Identifier	First Name	First Initial of Last Name	State/Province
3248	John	B.	TX
3250	Mitchell	S.	MD
3251	Ying	N.	WA
3253	Martin	Z.	PA
3254	Jamie	Z.	PA
3255	Gerald	I.	CA
3256	David	R.	CA
3257	Lisa	F.	CA
3258	Jana	H.	MN
3260	Nathanael	H.	MN
3262	Edward	D.	MD
3263	Carol	D.	MD
3264	Stefan	F.	MO
3265	Denise	F.	MO
3266	Justine	B.	NY
3268	Barbara	C.	NY
3271	Thomas	G.	IN
3274	Jayesh	B.	OH
3276	Mary	G.	NY
3280	Jayde	D.	MD
3281	Hans-Snith	A.	FL
3282	Charlene	P.	MA
3284	Thomas	C.	IL
3285	Russell	B.	CA
3286	Ann	P.	FL
3287	Donna	R.	FL
3288	Gregory	R.	FL
3289	Roja	E.	PA
3290	Dylan	B.	PA
3292	Dadfar	B.	CA
3294	Agnes	T.	VA
3295	Amanda	T.	OH
3296	Rogelio	B.	NY
3297	Amanda	C.	MO
3298	Stephen	K.	CA
3300	Yury	R.	CA
3302	Gregory	Z.	MA
3303	James	S.	WA

JND Identifier	First Name	First Initial of Last Name	State/Province
3304	Kenyon	S.	NJ
3305	John	M.	PA
3306	Roger	S.	PA
3308	Joseph	S.	MI
3309	Jacob	S.	MI
3311	Jill	B.	MA
3312	Barry	B.	MA
3314	Lucas	L.	OK
3315	Roger	S.	NY
3316	Perry	P.	
3317	Thomai	H.	
3318	Evan	S.	NY
3319	Michelle	T.	FL
3320	Larry	G.	SC
3321	James	F.	TN
3322	Mikael	H.	CA
3324	Robert	N.	MD
3325	Janice	S.	MD
3326	Jeanmarie	D.	NY
3327	Lawrence	L.	NY
3329	Larry	A.	TN
3331	Misty	D.	TN
3333	Darla	A.	TN
3335	Gavin	M.	MA
3339	Sharareh	S.	OR
3340	Shohreh	S.	CA
3342	Kristy	K.	PA
3343	Michael	K.	PA
3345	James	S.	GA
3348	Joan	A.	CA
3349	Everett	A.	CA
3355	Jarrett	P.	VA
3357	Douglas	E.	IN
3358	Diane	E.	IN
3359	Breya	L.	AR
3360	Kent	Y.	IN
3361	Melissa	X.	CA
3363	Kyron	R.	DE

<b>JND Identifier</b>	<b>First Name</b>	<b>First Initial of Last Name</b>	<b>State/Province</b>
3364	Brett	W.	CO
3365	Christy	F.	VA
3366	Ryleigh	L.	VA
3367	Katherine	M.	MN
3368	Richard	M.	MN
3370	Helaine	D.	NJ
3371	Nicholas	D.	NJ
3372	Paul	D.	NJ
3375	Neil	S.	CA
3376	Melanie	D.	UT
3377	Bryan	D.	UT
3378	Julius	S.	CA
3379	Samanatha	R.	PA
3380	Grant	B.	IA
3381	Richard	S.	NC
3382	Brian	S.	MD
3383	Alison	S.	MD
3384	Beth	W.	PA
3386	Stacey	D.	PA
3388	James	R.	CO
3389	Damien	C.	CO
3391	Samuel	B.	VA
3392	Samuel	F.	VA
3393	Shahryar	G.	NY
3395	Jennifer	N.	UT
3396	Garrison	D.	NY
3398	Arnold	G.	TX
3400	Richard	R.	MI
3401	Erin	C.	IN
3402	Erik	C.	IN
3403	Linda	C.	IN
3404	Howard	C.	IN
3407	Amy	M.	PA
3408	William	J.	OH
3409	Donna	W.	FL
3410	William	W.	FL
3411	Dirk	Z.	MA
3412	Drew	N.	LA

JND Identifier	First Name	First Initial of Last Name	State/Province
3413	Farouk	R.	NC
3415	Sarah	S.	FL
3416	Daniel	H.	FL
3417	Timothy	G.	MI
3418	Paula	G.	MI
3419	Ian	G.	MI
3420	Latrisha	D.	MD
3423	Vicki	S.	VA
3424	Staffus	H.	MI
3426	Jennifer	S.	NY
3427	Keteisha	S.	OH
3429	Merry	H.	GA
3430	Wojciech	D.	NJ
3431	Edyta	D.	NJ
3433	Cynthia	K.	OR
3435	Yanet	R.	NJ
3437	Christopher	F.	WA
3438	Curtis	W.	OR
3439	Lori	S.	CA
3440	Mayme	S.	OR
3441	Adam	C.	OR
3442	Jennifer	S.	OR
3443	Donte	M.	WA
3444	Denise	P.	IN
3446	David	W.	VA
3448	Robert	B.	NH
3449	Bruce	P.	CO
3450	Janet	E.	CO
3451	Rachel	H.	IL
3452	Matthew	B.	WI
3453	Ellen	B.	WI
3454	Masun	T.	CO
3457	Ian	W.	CA
3458	Harry	C.	MI
3459	Catherine	T.	IL
3460	Stacey	W.	OR
3461	Christopher	C.	OR
3463	Terrance	M.	VA

JND Identifier	First Name	First Initial of Last Name	State/Province
3467	Jie	R.	MA
3468	Deqing	S.	MA
3469	Erik	B.	GA
3470	Brian	R.	CA
3471	Krishan	J.	TX
3474	Michael	L.	MA
3475	Cory	B.	CA
3476	Walter	K.	LA
3477	Emily	B.	GA
3479	William	J.	CA
3480	Ryan	B.	CA
3481	Lamar	A.	CA
3482	Colin	M.	CA
3483	Candy	A.	TX
3484	Paul	A.	TX
3485	Richard	S.	PA
3486	Latica	T.	NY
3487	John	K.	PA
3488	Gayle	N.	CO
3489	Michael	G.	TX
3491	Ekaterina	C.	NV
3492	Alan	C.	NV
3493	Kelleen	G.	WA
3494	Thomas	A.	WA
3496	Lauren	M.	GA
3497	Michael	G.	CA
3498	Edith	M.	NY
3499	Jon	T.	NY
3500	Maryann	C.	WI
3501	Thomas	C.	WI
3502	Nicolas	C.	WI
3504	Timothy	C.	IL
3505	Sandra	L.	MA
3506	Benjamin	H.	MA
3507	Kenneth	I.	{A
3508	John	S.	NJ
3509	Matthew	H.	MA
3510	Nathan	D.	IL

JND Identifier	First Name	First Initial of Last Name	State/Province
3511	Daniel	G.	CA
3513	Ralph	M.	TX
3514	Mary	A.	OH
3515	Patrick	B.	OH
3516	Scarlett	K.	PA
3517	Susan	M.	NY
3519	Leticia	S.	CA
3520	John	M.	OK
3521	Andrew	T.	WA
3523	Brian	S.	FL
3524	Julianne	J.	NY
3525	Mikhael	S.	DC
3527	Frederique	S.	MA
3529	Elizabeth	P.	VA
3531	Michael	P.	VA
3532	Sean	N.	MO
3533	George	I.	DC
3537	Andrea	S.	OH
3539	Stefanie	B.	VA
3540	Joseph	B.	VA
3541	Debora	J.	NV
3542	Kansas	C.	GA
3544	Yesenia	P.	TX
3545	Sarah	W.	MD
3547	Michelle	H.	IN
3548	Jeffrey	H.	IN
3549	Michael	S.	MI
3551	Cynthia	S.	GA
3552	Monika	D.	IL
3555	Mihai	C.	OR
3556	John	T.	CA
3557	David	H.	GA
3558	Randel	D.	VA
3559	Fatmata	B.	TN
3560	Kin	K.	NY
3561	Yukti	A.	NY
3563	Paul	T.	NJ
3564	Brian	T.	wa



JND Identifier	First Name	First Initial of Last Name	State/Province
3565	Jeffrey	N.	WY
3566	Chidambaram	K.	GA
3567	Joshua	B.	GA
3569	Alexandria	P.	CA
3571	Donald	M.	IN
3572	Carolann	V.	NY
3573	Veronica	V.	NY
3574	Samuel	M.	NJ
3580	Adam	K.	CA
3581	Michelle	N.	CO
3583	Karen	T.	VA
3586	Tarchiauna	T.	VA
3587	Katrina	H.	CA
3588	Darrell	T.	VA
3590	Marcus	J.	VA
3591	Isaac	M.	IL
3592	Theron	M.	CA
3593	Kelly	M.	CA
3597	Michael	H.	CA
3598	Tryphina	H.	CA
3599	Donnie	H.	NM
3600	Steven	J.	NY
3601	Kevin	L.	CA
3602	Elisa	A.	CA
3603	Miles	G.	WA
3607	Chase	H.	MO
3609	Conie	L.	FL
3612	Keenen	W.	CA
3613	Yen	T.	CA
3621	Aaron	C.	IN
3622	Thomas	C.	IN
3623	Michael	M.	IN
3624	Jane	M.	IN
3625	Debra	C.	IN
3626	Wayne	S.	IN
3627	Marilyn	S.	IN
3628	Craig	M.	VA
3630	Liliana	W.	GA

JND Identifier	First Name	First Initial of Last Name	State/Province
3632	Gabriel	A.	GA
3633	John	I.	CA
3635	Richard	S.	NC
3636	Clarissa	S.	NC
3637	Anna	L.	NY
3640	Ross	A.	MN
3641	Gregory	H.	MD
3642	Michael	Z.	MT
3643	Traci	Z.	MT
3644	Michael	F.	CA
3647	Andres	C.	NJ
3649	Sunit	K.	GA
3650	Paul	I.	FL
3651	Kevin	H.	UT
3652	Jennifer	C.	CA
3653	Sara	B.	MD
3654	Rhonda	K.	CA
3657	Clinton	L.	NC
3660	Daniel	D.	WI
3661	Kaylin	B.	WI
3662	Cynthia	D.	WI
3665	Brock	P.	CA
3666	Daren	K.	ID
3667	Alice	P.	TX
3668	Dewitt	P.	TX
3670	Ripam	S.	IN
3671	Timothy	T.	FL
3672	Zachary	G.	MN
3676	Tracie	W.	KY
3678	Patricia	N.	WI
3682	Michael	J.	CA
3683	Alicia	B.	CA
3684	Gabriela	H.	CA
3689	Mitcheel	R.	VT
3690	Ezra	G.	MD
3692	Emily	K.	VA
3693	Emily	H.	MD
3695	Neilye	G.	MD

JND Identifier	First Name	First Initial of Last Name	State/Province
3696	Robert	A.	OH
3697	Natalie	K.	VT
3698	Regina	J.	NJ
3699	Mary	E.	NV
3700	Lora	W.	CO
3703	Bruce	J.	CA
3706	Asawari	K.	IN
3708	Matthew	H.	PA
3710	Juanita	T.	TN
3713	Mark	S.	CA
3714	Lowell	D.	MA
3715	Allison	A.	CA
3718	Philip	A.	CA
3720	Ricardo	V.	MA
3721	Margaret	D.	MA
3722	Tamsen	W.	PA
3723	Elisabeth	G.	NY
3724	Christina	R.	PA
3727	Marilyn	M.	TN
3730	Matthew	W.	AR
3731	Elizabeth	H.	CA
3732	Joseph	W.	CA
3733	Vianca	B.	MA
3735	Anthony	D.	MA
3737	Charles	S.	CA
3739	Rena	C.	TX
3742	Barbara	L.	TX
3743	Jeremy	H.	GA
3744	Mitchell	S.	CA
3745	Adam	R.	CA
3747	Victoria	P.	FL
3748	Sarabjit	S.	NC
3751	Jon-David	H.	UT
3753	Michael	T.	CA
3762	Noor	A.	MO
3763	Mohammed	S.	MO
3764	Kiersten	S.	GA
3765	Gerardo	B.	GA

JND Identifier	First Name	First Initial of Last Name	State/Province
3766	Cristhian	H.	GA
3767	Gamaliel	G.	GA
3768	Lygia	S.	GA
3769	Rosmery	A.	GA
3770	Erenia	C.	GA
3771	Alan	S.	GA
3773	Deborah	D.	MD
3774	Vatche	T.	CA
3776	Matthew	T.	CA
3777	Zonel	P.	CA
3778	Diana	O.	CA
3783	Edvin	H.	CA
3785	Chokri	B.	CA
3786	Victoria	A.	CA
3787	Fernando	A.	CA
3788	Garo	A.	CA
3789	Cindy	A.	CA
3790	Myeshia	A.	CA
3791	Alonzo	A.	VA
3792	Tanisha	F.	VA
3794	Deanna	F.	TX
3795	Randy	B.	UT
3796	Qiaona	W.	NY
3797	Tony	Y.	NY
3798	Mitchell	M.	VA
3799	Roderick	D.	VA
3800	Jeremy	D.	VA
3801	John-Paul	R.	VA
3805	Faten	A.	CA
3806	Rita	N.	NY
3807	Adeteju	O.	NJ
3808	Femi	A.	NJ
3810	Osita	N.	NJ
3811	Afamefula	O.	NJ
3812	Ogechi	A.	NJ
3814	Brett	L.	MO
3815	Robert	M.	MO
3816	Laura	N.	CA

JND Identifier	First Name	First Initial of Last Name	State/Province
3818	Molly	W.	IN
3819	Anna	B.	IN
3822	Paul	L.	PA
3833	Brandon	B.	FL
3834	Lisa	B.	FL
3836	Matthew	S.	PA
3838	Shanni	S.	PA
3841	Karen	L.	PA
3848	Laura	N.	IN
3849	Anish	N.	IN
3857	Hernan	A.	GA
3860	Tressie	R.	GA
3862	Edward	A.	CA
3863	Diane	M.	NC
3866	Cecilia	A.	GA
3869	Amanda	H.	FL
3870	Grey	G.	FL
3878	Chau	P.	PA
3880	Hana	D.	PA
3883	Zef	S.	PA
3884	Andrej	S.	PA
3885	Pat	Z.	FL
3889	Hong	P.	PA
3891	Anna	D.	OH
3893	William	M.	PA
3894	Frederick	B.	PA
3899	Keith	D.	OH
3900	Michael	S.	PA
3902	Richard	W.	PA
3908	Ashley	L.	PA
3909	Travis	M.	PA
3910	Anita	M.	PA
3911	Alvery	N.	PA
3914	Wojciech	G.	CA
3916	Brianna	B.	PA
3920	Oliver	F.	NY
3921	Sherrie	U.	NY
3922	April	M.	GA

JND Identifier	First Name	First Initial of Last Name	State/Province
3925	Samuel	G.	GA
3927	Ronald	G.	NY
3928	Gayle	G.	NY
3930	Dustin	S.	NY
3931	Abbie	C.	MN
3932	Clarence	S.	GA
3934	Sayed	B.	CA
3936	Midgladis	G.	GA
3937	Joseph	J.	GA
3938	Alexandra	S.	GA
3939	Ana	L.	GA
3940	Raquel	K.	GA
3941	Adrian	B.	GA
3942	Jennifer	S.	PA
3946	Todd	H.	SC
3947	Elizabeth	M.	SC
3952	Emily	W.	SC
3954	Charles	W.	SC
3955	Clifford	E.	NY
3956	Stephen	S.	NY
3958	Reya	J.	UT
3959	Samuel	L.	CA
3962	Steven	N.	CA
3964	Cathy	K.	MN
3965	Bruce	K.	MN
3966	Angelica	P.	TX
3967	Justine	P.	TX
3971	Alexandra	G.	NY
3978	Jacob	C.	TX
3979	Michael	C.	TX
3980	Patricia	C.	TX
3981	Anthony	C.	FL
3983	Alexander	C.	GA
3984	Carmelita	J.	IL
3986	Payam	T.	CA
3987	Georgia	L.	VA
3989	Donovan	W.	GA
3995	Shelby	K.	NM

JND Identifier	First Name	First Initial of Last Name	State/Province
3999	Juby	R.	CA
4001	Sean	G.	FL
4002	Janice	H.	OK
4008	Cheryl	W.	NC
4010	Ynohtan	H.	IL
4013	Khang	D.	GA
4014	Gina	R.	IL
4015	Diana	A.	FL
4025	Mark	W.	IA
4028	Carl	S.	OR
4031	Yu	L.	CA
4032	James	J.	VA
4033	Beverly	G.	NY
4035	Sarah	J.	TX
4036	Beverly-Olney	L.	NY
4044	Felicia	P.	GA
4048	Zarinah	N.	AZ
4051	Crystal	L.	FL
4053	Thomas	D.	VA
4054	Nancy	H.	VA
4055	Jennifer	D.	VA
4058	Dulcey	D.	NM
4060	John	N.	WI
4065	David	H.	FL
4066	Barry	R.	VA
4070	Caroline	B.	CA
4073	Murat	A.	CA
4075	Paul	Y.	PA
4077	Mashaweta	B.	MI
4093	Robert	A.	CA
4097	Rena	C.	AZ
4098	Faheem	J.	IL
8866	Travis	H.	TX
1124	Lajuana	M.	TX

# **EXHIBIT B**

## **List of Settlement Class Representatives**



1. Cheyra Acklin-Davis
2. Christy Adams
3. Robert Anderson
4. Donald Angelechio
5. Michele Renee Archambault
6. Dean Edward Armstrong
7. Justin Bakko
8. Robert Benson
9. David Bielecki
10. Michael Aaron Bishop
11. Sabina Bologna
12. Nancy Rae Browning
13. Francine Campbell
14. Mark Carr
15. Natasha Carr
16. Michael Chase
17. Jack Cherney
18. Grace Cho
19. Ricardo A. Clemente
20. Bridgette Craney
21. Thomas Edward Crowell
22. Germany Davis
23. Christopher P. Dunleavy
24. Abby Lee Elliott
25. Robert J. Etten
26. Kayla Ferrel
27. Janelle Ferrell
28. Larry Frazier
29. Andrew Galpern
30. James Gay
31. Michael Getz
32. Terry Goza
33. Thomas E. Greenwood
34. Josh Grossberg
35. Jasmine Guess
36. John R. Hammond

37. Thomas W. Hannon
38. Jennifer Ann Harris
39. Kismet Harvey
40. Todd Heath
41. Bob Helton
42. Margaret M. Henkel
43. Cathy Louise Henry
44. Alexander Hepburn
45. Eva Hitchcock
46. Kathleen Holly
47. Michael Louis Hornblas
48. Gregory Jacobs
49. David L. Kacur
50. Aloha Kier
51. Brenda King
52. Alvin Alfred Kleveno Jr.
53. Joanne Klotzbaugh
54. Emily Knowles
55. Debra Lee
56. Brett D. Lemmons
57. Leah Lipner
58. Maria Martucci
59. Delitha J. May
60. James McGonnigal
61. Anthony Mirarchi
62. Barry Napier
63. Justin O'Dell
64. Kyle Olson
65. Mel C. Orchard III
66. Joseph Packwood
67. John J. Pagliarulo
68. Richard Dale Parks
69. Clara Parrow
70. Bruce Pascal
71. Sylvia Patterson
72. Wanda Paulo

73. Dallas Perkins
74. Stephen Plante
75. Gregg Podalsky
76. Sanjay Rajput
77. Benjamin Sanchez
78. David Sands
79. Rodd Santomauro
80. Maria Schifano
81. Thomas Patrick Schneider
82. James David Sharp
83. Miche' Sharpe
84. John Simmons II
85. Amie Louise Smith
86. Anna Solorio
87. Jonathan Strausser
88. Kim Strychalski
89. Pete Swiftbird
90. Cheryl Ann Tafas
91. Tabitha Thomas Hawkins
92. Gerry Tobias
93. Nathan Alan Turner
94. Jennifer J. Tweeddale
95. Katie Van Fleet
96. Richard Whittington II

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

In re: Equifax Inc. Customer  
Data Security Breach Litigation

MDL Docket No. 2800  
No. 1:17-md-2800-TWT

CONSUMER ACTIONS

Chief Judge Thomas W. Thrash, Jr.

**AMENDED ORDER GRANTING FINAL APPROVAL OF SETTLEMENT,  
CERTIFYING SETTLEMENT CLASS, AND AWARDING ATTORNEY'S  
FEES, EXPENSES AND SERVICE AWARDS**

Consumer Plaintiffs and Defendants Equifax Inc., Equifax Information Services, LLC, and Equifax Consumer Services LLC (collectively, “Equifax”), reached a proposed class action settlement resolving claims arising from the data breach Equifax Inc. announced on September 7, 2017. On July 22, 2019, this Court directed that notice issue to the settlement class. [[Doc. 742](#)]. This matter is now before the Court on the Consumer Plaintiffs’ Motion for Final Approval of Proposed Settlement [[Doc. 903](#)] and Motion for Attorneys’ Fees, Expenses, and Service Awards to the Class Representatives. [[Doc. 858](#)]. For the reasons set forth below and on the record of the hearing of December 19, 2019, the Court grants both motions, issues its ruling on the pending objections and motions from various objectors that have been filed, and will separately enter a Consent Order relating to the business practice changes to which Equifax has agreed and a Final Order and Judgment.

## I. INTRODUCTION.

### A. Factual Background and Procedural History.

On September 7, 2017, Equifax Inc. announced a data breach that it determined had impacted the personal information of about 147 million Americans. More than 300 class actions filed against Equifax were consolidated and transferred to this Court, which established separate tracks for the consumer and financial institution claims and appointed separate legal teams to lead each track.

In the consumer track, on May 14, 2018, plaintiffs filed a 559-page consolidated complaint, which named 96 class representatives and asserted common law and statutory claims under both state and federal law. [[Doc. 374](#)]. The complaint alleged claims including negligence, negligence per se, unjust enrichment, declaratory judgment, breach of contract (for those individuals who had provided personal information to Equifax subject to its privacy policy), and violation of the Fair Credit Reporting Act (“FCRA”), the Georgia Fair Business Practices Act (“GFBPA”), and various state consumer laws and state data breach statutes.

Equifax moved to dismiss the complaint in its entirety, arguing *inter alia* that Georgia law does not impose a legal duty to safeguard personal information, plaintiffs’ alleged injuries were not legally cognizable, and no one could plausibly prove that their injuries were caused by this data breach as opposed to another

breach. The parties exhaustively briefed the motion during the summer and early fall of 2018.

After the benefit of oral argument on December 14, 2018, the Court issued an order on January 28, 2019, granting in part and denying in part the motion to dismiss. [Doc. 540]. The Court allowed the negligence and negligence per se claims to proceed under Georgia law, finding among other things that the plaintiffs alleged actual injuries sufficient to support a claim for relief (*id.* at 15-21). The Court dismissed the FCRA claim, the GFBPA claim, the contract claims, and the unjust enrichment claims of those plaintiffs who had no contract with Equifax. The Court dismissed some state statutory claims, but allowed many others to proceed. Following the Court's order on dismissal, Equifax answered on February 25, 2019 [Doc. 571]. Before and after Equifax filed its answer, the parties engaged in significant discovery efforts and raised numerous discovery-related disputes with the Court in late 2018.

On April 2, 2019, after more than 18 months of negotiations, the parties informed the Court they had reached a binding settlement that was reflected in a term sheet dated March 30, 2019, and that had been approved the following day by Equifax's board of directors. After consulting and negotiating with federal and state regulators regarding revisions to the term sheet, the parties entered into the final settlement agreement on July 19, 2019, and presented the final settlement agreement

to the Court on July 22, 2019. (App. 1, ¶¶ 17-24).<sup>1</sup> After a hearing on July 22, 2019, the Court entered an order directing notice of the proposed settlement (“Order Directing Notice”) [[Doc. 742](#)]. In the Order Directing Notice, the Court found that it would likely approve the settlement as fair, reasonable, and adequate, and certify the settlement class.

**B. Terms of the Settlement.**

The following are the material terms of the settlement:

**1. The Settlement Class.**

The settlement class is defined as follows:

The approximately 147 million U.S. consumers identified by Equifax whose personal information was compromised as a result of the cyberattack and data breach announced by Equifax Inc. on September 7, 2017.

Excluded are (i) Equifax, any entity in which Equifax has a controlling interest, and Equifax’s officers, directors, legal representatives, successors, subsidiaries, and assigns; (ii) any judge, justice, or judicial officer presiding over this matter and the members of their immediate families and judicial staff; and (iii) any individual who timely and validly opts out of the settlement class. [Settlement Agreement, [Doc. 739-2](#), ¶ 2.43].

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<sup>1</sup> References in this Order to “App.” refer to the declarations comprising the Appendix [[Doc. 900](#)] accompanying the pending motions.

## 2. The Settlement Fund.

Equifax will pay \$380,500,000 into a fund for class benefits, attorneys' fees, expenses, service awards, and notice and administration costs; up to an additional \$125,000,000 if needed to satisfy claims for certain out-of-pocket losses; and potentially \$2 billion more if all 147 million class members sign up for credit monitoring. [[Doc. 739-2](#), ¶ 7.8; [Doc. 739-4](#), ¶ 37]. No settlement funds will revert to Equifax. [[Doc. 739-2](#), ¶ 5.5]. The specific benefits available to class members include:

- Reimbursement of up to \$20,000 for documented, out-of-pocket losses fairly traceable to the breach, such as the cost of freezing or unfreezing a credit file; buying credit monitoring services; out-of-pocket losses from identity theft or fraud, including professional fees and other remedial expenses; and 25 percent of any money paid to Equifax for credit monitoring or identity theft protection subscription products in the year before the breach. If the \$380.5 million fund proves to be insufficient, Equifax will add another \$125 million to pay claims for out-of-pocket losses.
- Compensation of up to 20 hours at \$25 per hour (subject to a \$38 million cap) for time spent taking preventative measures or dealing with identity theft. Ten hours can be self-certified, requiring no documentation.
- Four years of specially negotiated, three-bureau credit monitoring and identity protection services through Experian and an additional six years of one-bureau credit monitoring and identity protection services through Equifax. The Experian monitoring has a comparable retail value of \$24.99 per month and has a number of features that are typically not available in "free" credit monitoring services offered to the public. ([App. 6](#), ¶¶ 33-43). The one-bureau credit monitoring shall be provided separately by Equifax and not paid for from the settlement fund.

- Alternative cash compensation (subject to a \$31 million cap) for class members who already have credit monitoring or protection services in place and who choose not to enroll in the enhanced credit monitoring and identity protection services offered in the settlement.
- Identity restoration services through Experian to help class members who believe they may have been victims of identity theft for seven years, including access to a U.S. based call center, assignment of a certified identity theft restoration specialist, and step by step assistance in dealing with credit bureaus, companies and government agencies.

Class members have six months to claim benefits (through January 22, 2020), but need not file a claim to access identity restoration services. (*Id.*, ¶¶ 7.2 and 8.1.1). If money remains in the fund after the initial claims period, there will be a four-year extended claims period during which class members may recover for certain out-of-pocket losses and time spent rectifying identity theft that occurs after the end of the initial claims period. (*Id.*, ¶ 8.1.2). If money remains in the fund after the extended claims period, it will be used as follows: (a) the caps for time and alternative compensation will be lifted and payments will be increased *pro rata* up to the full amount of the approved claims; (b) up to three years of additional identity restoration services will be purchased; and (c) the Experian credit monitoring services claimed by class members will be extended. (*Id.*, ¶ 5.4). Equifax will not receive any monetary or other financial consideration for any of the benefits provided by the settlement. (*Id.*, ¶ 7.3).



### 3. **Injunctive Relief.**

Equifax has agreed to entry of a consent order requiring the company to spend a minimum of \$1 billion for data security and related technology over five years and to comply with comprehensive data security requirements. Equifax's compliance will be audited by an experienced, independent assessor and subject to this Court's enforcement powers. [*See generally* [Doc. 739-2, pp. 76-84](#); [Doc. 739-4, ¶ 44](#)].

According to cybersecurity expert Mary Frantz:

[I]mplementation of the proposed business practice changes should substantially reduce the likelihood that Equifax will suffer another data breach in the future. These changes address serious deficiencies in Equifax's information security environment. Had they been in place on or before 2017 per industry standards, it is unlikely the Equifax data breach would ever have been successful. These measures provide a substantial benefit to the Class Members that far exceeds what has been achieved in any similar settlements.

[739-7, ¶ 66]. Equifax's binding financial commitment to spend \$1 billion on data security and related technology substantially benefits the class because it ensures adequate funding for securing plaintiffs' information long after the case is resolved. (*See id.*, ¶ 56).

### 4. **Notice And Claims Program.**

The notice plan [*see* [Doc. 739-2, p. 125](#)], was developed by class counsel and the Court-appointed notice provider (Signal Interactive Media), with input from the claims administrator (JND Legal Administration) and the regulators. (App. 1, ¶ 25). The notice plan is not designed merely to satisfy minimal constitutional

requirements, but an innovative and comprehensive program that takes advantage of contemporary commercial and political advertising techniques—such as focus groups, a public opinion survey, and micro-targeting—to inform, reach, and engage the class and motivate class members to file claims. According to the plaintiffs and Signal, the notice program is a first-of-its kind effort and is unprecedented in scope and impact. The Court finds that the notice program is a significant benefit to the class.

The notice program consists of: (1) multiple emails sent to those whose email addresses can be found with reasonable effort; (2) a digital and social media campaign using messaging continually tested and targeted for effectiveness; (3) a full-page ad in *USA Today* using plain text designed with input from experts on consumer communications at the Federal Trade Commission as well as a national radio advertising campaign to reach those who have limited online presence; (4) a settlement website on which the long-form notice and other important documents, including various pleadings and other filings from the litigation, are posted; and (5) the ability for class members to ask questions about the settlement via email and a toll-free number staffed with live operators. (App. 4, ¶¶ 43-57, 85-90; App. 5, ¶¶ 22-30). Signal will continue digital advertising during the extended claims period and until identity restoration services are no longer available, a period that will last for seven years. [[Doc. 739-2, pp. 127, 138](#)].

JND transmitted the initial email notice to 104,815,404 million class members beginning on August 7, 2019. (App. 4, ¶¶ 53-54). JND later sent a supplemental email notice to the 91,167,239 class members who had not yet opted out, filed a claim, or unsubscribed from the initial email notice. (*Id.*, ¶¶ 55-56). The notice plan also provides for JND to perform two additional supplemental email notice campaigns. (*Id.*, ¶ 57).

The digital component of the notice plan, according to Signal, reached 90 percent of the class an average of eight times before the notice date of September 20, 2019, approximately 60 days before the deadline for objecting and opting out. Signal's digital campaign achieved 1.12 billion impressions on social media, paid search, and advertising before the notice date, far surpassing the original target of 892 million impressions. (App. 5, ¶ 24). Signal is expected to deliver an additional 332 million impressions during the remainder of the initial claims period (*id.*, ¶ 25), many more digital impressions than initially anticipated. Signal also placed a full-page notice that appeared in the September 6, 2019 issue of *USA Today*. (*Id.*, ¶ 26). The radio campaign, which ran from August 19 through September 8, 2019 in 210 markets across the country, resulted in 194,797,100 impressions overall and 63,636,800 impressions for the target age group least likely to be reached online. (*Id.*, ¶¶ 27-28).

Finally, the settlement received a great deal of media coverage in virtually

every U.S. market, increasing exposure and reach to class members. The settlement was featured prominently by CNN, in the *New York Times*, and on the Today Show, among other national media outlets. (*Id.*). From July 22, 2019 through December 1, 2019, there were approximately 30,000 mentions related to the data breach or the settlement in the media. (*Id.*, ¶ 90).

As a result of the notice program and extensive media coverage, the response from the class has been unprecedented. The settlement website received 46 million visits during the first 48 hours following preliminary approval and, as of December 1, 2019, the total number of visits to the website exceeded 130 million, with nearly 40 million discrete visitors. Most significantly, with several weeks left in the initial claims period, the claims administrator has received in excess of 15 million claims from verified class members, including over 3.3 million claims for credit monitoring. (*Id.*, ¶¶ 5, 64-69). The claims rate, to date, thus exceeds 10% of the class.

These claims and others that continue to be filed are governed by a detailed claims administration protocol, which employs a variety of techniques to facilitate access, participation, and claims adjudication and resolution. (App. 4, ¶¶ 4, 71). JND has also developed specialized tools to assist in processing claims, calculating payments, and assisting class members in curing any deficient claims. (*Id.*, ¶¶ 4, 21). As a result, class members have the opportunity to file a claim easily and have that claim adjudicated fairly and efficiently.

## **5. Attorneys' Fees And Expenses And Service Awards.**

Class counsel have applied for a percentage-based fee of \$77.5 million, reimbursement of \$1,404,855.35 in litigation expenses, and service awards of \$2,500 for each settlement class representative totaling no more than \$250,000 in the aggregate. [[Doc. 858](#)]. These amounts are in accordance with the terms of the settlement agreement and were not negotiated by the parties until after the negotiations regarding the relief to be afforded to the class had concluded. Under prevailing precedent and the circumstances of this case, these requests are reasonable, and for the reasons set forth in more detail below, the requests will be approved.

## **6. Releases.**

In pertinent part, the class will release Equifax from claims that were or could have been asserted in this case. The releases are set forth in more detail in the settlement agreement. [[Doc. 739-2](#), ¶¶ 2.38, 2.50, 16].

## **II. FINAL APPROVAL OF PROPOSED SETTLEMENT AND CERTIFICATION OF SETTLEMENT CLASS.**

The Court, having considered the Settlement Agreement and Release including all of its exhibits [[Doc. 739-2](#)]; all objections and comments received regarding the settlement; all motions and other court filings by objectors and *amici curiae*; the arguments and authorities presented by the parties and their counsel in their briefing; the arguments at the final approval hearing on December 19, 2019;

and the record in this action, and good cause appearing, hereby reaffirms its findings in the Order Directing Notice, finds the settlement is fair reasonable and adequate, and certifies the settlement class.

**A. The Proposed Settlement Is Fair, Reasonable, And Adequate.**

Before the Court may finally approve a proposed settlement, it must consider the factors listed in Rule 23(e)(2) including whether “(A) the class representatives and class counsel have adequately represented the class; (B) the proposal was negotiated at arm’s length; (C) the relief provided for the class is adequate, taking into account: (i) the costs, risks, and delay of trial and appeal; (ii) the effectiveness of any proposed method of distributing relief to the class, including the method of processing class-member claims; (iii) the terms of any proposed award of attorney’s fees, including timing of payment; and (iv) any agreement required to be identified under Rule 23(e)(3); and (D) the proposal treats class members equitably relative to each other.” Fed. R. Civ. P. 23(e)(2). As explained below, consideration of each of these factors supports a finding that the settlement is fair, reasonable, and adequate and should be approved.

**1. The Class Was Adequately Represented.**

The first prong of Rule 23(e)(2) directs the Court to consider whether the class representatives and class counsel have adequately represented the class. Fed. R. Civ. P. 23(e)(2)(A). Traditionally, adequacy of representation has been considered in

connection with class certification. For this analysis, courts consider: “(1) whether [the class representatives] have interests antagonistic to the interests of other class members; and (2) whether the proposed class’ counsel has the necessary qualifications and experience to lead the litigation.” *Columbus Drywall & Insulation, Inc. v. Masco Corp.*, 258 F.R.D. 545, 555 (N.D. Ga. 2007).

The Court finds that the class representatives are adequate. They share the same interests as absent class members, assert claims stemming from the same event that are the same or substantially similar to the rest of the class, and share the same types of alleged injuries as the rest of the class. Like the rest of the class, the class representatives’ personal information at issue was stolen and they all allege the same risk—that their information may be misused by criminals in the future. And, no class member has benefitted from the breach. For all these reasons, the Court finds that the interests of class members are not antagonistic and there is no intra-class conflict here.

Further, the Court finds that class counsel have adequately represented the class. The Court appointed class counsel after a comprehensive and competitive appointment process. Their experience in complex litigation generally and data breach litigation specifically has been brought to bear here, as they effectively worked to bring this case to a successful resolution. The Court has observed class counsel’s diligence, ability, and experience in pleadings and motion practice; in

regularly-conducted status conferences; in their presentation of the settlement to this Court; and in their attention to matters of notice and administration after the announcement of the settlement. The excellent job class counsel have done for the class is also demonstrated in the benefits afforded by the settlement.

**2. The Proposed Settlement Was Negotiated At Arm's Length.**

With respect to the second factor under Rule 23(e)(2), the Court readily concludes that this settlement was negotiated at arm's length, and that there was no fraud or collusion in reaching the settlement. Fed. R. Civ. P. 23(e)(2)(B). This Court has observed the zeal with which counsel for the parties have advanced their clients' interests in this case, their written work, and their oral advocacy at status conferences and the numerous other hearings that have been conducted. Further, Layn Phillips, a retired federal judge with a wealth of experience in major complex litigation and large-scale data breach cases who served as the settlement mediator, has attested to the history of the contentious negotiations, the process of reaching agreement on a binding term sheet, the level of advocacy on both sides of the case, and his opinion that the settlement represents a reasonable and fair outcome. [Doc. 739-9]. *See generally Ingram v. The Coca-Cola Co.*, 200 F.R.D. 685, 693 (N.D. Ga. 2001) (presence of "highly experienced mediator" pointed to "absence of collusion"). Moreover, any possibility of collusion—already remote—is undercut by the fact that the settlement enjoys the support of the Federal Trade Commission, the Consumer



Financial Protection Bureau, and Attorneys General of 48 states, Puerto Rico, and the District of Columbia. These regulators entered into their own separate settlements with Equifax after the parties entered into the term sheet in this case and agreed that the settlement fund in this case can serve as the vehicle for consumer redress related to the breach.

### **3. The Relief Provided To The Class Is Adequate.**

The third factor the Court considers under Rule 23(e)(2) is the relief provided for the class taking into account “(i) the costs, risks, and delay of trial and appeal; (ii) the effectiveness of any proposed method of distributing relief to the class, including the method of processing class-member claims; (iii) the terms of any proposed award of attorney’s fees, including timing of payment; and (iv) any agreement required to be identified under Rule 23(e)(3).” Fed. R. Civ. P. 23(e)(2)(C).

In examining the adequacy of the relief provided to the class, the Court starts with the observation that this settlement is the largest and most comprehensive recovery in a data breach case in U.S. history by several orders of magnitude. [Doc. 739-4, pp. 40-45]. Not only does the size of the settlement fund exceed all previous data breach settlements, but the specific benefits provided to class members (both monetary and nonmonetary) that were enumerated above meet or substantially exceed those that have been obtained in other data breach cases. (*Id.*; see also Doc.

739-7, ¶ 66). It is also particularly significant that all valid claims for out-of-pocket losses likely will be paid in full; that 3.3 million class members have already submitted claims for credit monitoring with a collective retail value of roughly \$6 billion; that all class members, whether or not they file a claim, will have access to identity restoration services to help deal with the aftermath of any identity theft for seven years; that the notice program will continue for the full seven years to remind class members of the existence of those extended services; that Equifax must spend at least \$1 billion on data security and related technology; and that Equifax's compliance with comprehensive data security measures will be subject to independent verification and judicial enforcement.

The minimum cost to Equifax of the settlement is \$1.38 billion and could be more, depending on the cost of complying with the injunctive relief, the number and amount of valid claims filed for out-of-pocket losses, and the number of class members who sign up for credit monitoring (as Equifax, not the settlement fund, will bear the cost if more than seven million class members sign up for three-bureau credit monitoring and Equifax, not the settlement fund, will bear the cost of providing the extended one-bureau credit monitoring under the settlement). The benefit to the class—even when only considering the value of the \$380.5 million minimum settlement fund, the minimum \$1 billion Equifax is required to spend on data security and related technology, and the retail value of the credit monitoring

already claimed by class members—exceeds \$7 billion.

These benefits have added value by being available now, rather than after years of continued litigation, because class members can immediately take advantage of settlement benefits designed to mitigate and prevent future harm, including credit monitoring and injunctive relief. *See Anthem*, 327 F.R.D. at 318 (discussing the importance of timely providing credit monitoring to the class and implementing security enhancements in wake of a data breach). Additionally, the Court finds that much of the relief afforded by the settlement likely exceeds what could be achieved at trial (*see Doc. 903 at 13-16*), and, taken as a whole the settlement represents a result that is at the high end of the range of what could be achieved through continued litigation.

The adequacy of the relief is likewise supported by consideration of the four subparts enumerated in Rule 23(e)(2)(C)(i-iv), all of which support a finding that the relief provided by the settlement is fair, reasonable, and adequate.

**a) The Risks, Costs, and Delay of Continued Litigation.**

In considering the adequacy of the settlement in light of the risks of continued litigation under Rule 23(e)(2)(C)(i), the Court finds the cost and delay of continued litigation would have been substantial. But for the settlement, the parties would likely incur tens of millions of dollars in legal fees and expenses in discovery and motion practice. Trial likely would not occur earlier than 2021 and appeals would

almost certainly delay a final resolution for a year or more after that. Moreover, had the case not settled, the plaintiffs would have faced a high level of risk. *See Anthem*, 327 F.R.D. at 322 (finding that the “significant risks” and the “delay in any potential recovery from proceeding with litigation,” weighed in favor of approval). Equifax would likely renew its arguments under Georgia law that it has no legal duty to safeguard personal information, arguments that were strengthened following the Supreme Court of Georgia’s decisions in *Georgia Dep’t of Labor v. McConnell*, 828 S.E.2d 352 (Ga. 2019). Class certification outside of the settlement context also poses a significant challenge. *See, e.g., Adkins v. Facebook, Inc.*, 2019 WL 7212315, at \*9 (N.D. Cal. Nov. 26, 2019) (denying motion to certify data breach damages class under Rule 23(b)(3)); *Anthem*, 327 F.R.D. at 318 (“While there is no obvious reason to treat certification in a data-breach case differently than certification in other types of cases, the dearth of precedent makes continued litigation more risky.”). And, even if plaintiffs prevail on all those legal issues, they face the risk that causation cannot be proved, discovery will not support their claims, a jury might find for Equifax, and an appellate court might reverse a plaintiffs’ judgment.

Class counsel, appointed to act in the best interests of the class, cannot afford to ignore or downplay these significant risks in deciding whether to settle or continue litigating plaintiffs’ claims. Similarly, the Court must take those risks into account in determining whether the proposed settlement is fair, reasonable, and adequate. In

considering these risks, the Court finds that the guaranteed and immediate recovery for the class made available by this settlement far outweighs the mere possibility of future relief after lengthy and expensive litigation. The reality is that, if the Court does not approve the settlement in this case, there is a serious risk that many if not all class members will receive nothing. That the plaintiffs achieved all the relief in the settlement in the face of the risk they face strongly weighs in favor of approving the settlement as fair, reasonable, and adequate.

**b) The Method of Distributing Relief is Effective.**

Rule 23(e)(2)(C)(ii) requires the Court to next consider the effectiveness of the proposed method to distribute relief to the class, including the method for processing claims. Upon review of the declarations submitted in support of the motion to direct notice and for final approval [*see generally* Docs. 739-6 and 900-4], the Court finds that the method of distributing relief is effective. Class members can file claims through a straightforward claims process, and claims are not required for identity restoration services or to benefit from the injunctive relief agreed to by Equifax. Those claiming out-of-pocket losses must supply documentation of their losses, but such requirements are routine and likely less stringent than a plaintiff would have to present during discovery or trial. Some documentation requirements are necessary to ensure that the settlement fund is used to pay legitimate claims. Similarly, the requirement that losses be “fairly traceable” to the breach is not

onerous (and is arguably a less stringent standard than would apply at trial), and its enforcement is subject to a claims administration protocol developed with input from state and federal regulators. [Doc. 739-2, pp. 286-87, ¶ III].

The Court concludes that the requirements to make claims for other relief are also reasonable. For example, any class member is eligible to enroll in credit monitoring services without any documentation. Class members seeking alternative compensation in lieu of credit monitoring do not need to provide any documentation, but only identify and attest to their existing credit monitoring service. This is not an onerous requirement, and even those who already submitted claims and failed to provide the name of their credit monitoring service will be given another chance to do so through the deficient claims process set forth in the claims administration protocol. And, those seeking reimbursement for time spent dealing with the breach can claim up to 10 hours without any documentation.

The claims administrator, JND, is highly experienced in administering large class action settlements and judgments, and it has detailed the efforts it has made in administering the settlement, facilitating claims, and ensuring those claims are properly and efficiently handled. (App. 4, ¶¶ 4, 21; *see also* Doc. 739-6, ¶¶ 2-10). Among other things, JND has developed protocols and a database to assist in processing claims, calculating payments, and assisting class members in curing any deficient claims. (*Id.*, ¶¶ 4, 21). Additionally, JND has the capacity to handle class

member inquiries and claims of this magnitude. (App. 4, ¶¶ 5, 42). This factor, therefore, supports approving the relief provided by this settlement.

**c) The Terms Relating To Attorneys' Fees Are Reasonable.**

The third consideration of evaluating relief under Rule 23(e)(2)(C) is whether the attorneys' fees requested under the settlement are reasonable. Fed. R. Civ. P. 23(e)(2)(C)(iii). Here, class counsel are requesting a fee based on a percentage of the benefits available to the class. As addressed in detail below, the Court finds that the request is reasonable under prevailing precedent and the facts of this case. Further, the timing of the payment of fees does not impact the adequacy of the relief, as no fee will be paid until after Equifax fully funds the settlement fund and under no circumstance will any of the settlement funds revert to Equifax. *See* Fed. R. Civ. P. 23(e)(2)(B)(iii). As such, this factor weighs in favor of approving the settlement.

**d) Agreements Required To Be Identified By Fed. R. Civ. P. 23(e)(3).**

Finally, Rule 23(e)(2)(C)(iv) directs the Court to consider the relief afforded to the class in light of any agreements required to be identified by Rule 23(e)(3). The parties previously submitted to the Court, *in camera*, the specific terms of the provision allowing Equifax to terminate the settlement if more than a certain number of class members opted out and the cap on notice spending that would create a mutual termination right. These provisions have not been triggered, and thus do not

affect the adequacy of the relief obtained here. The parties have not identified, and the Court is unaware of, any other agreements required to be identified by the Rule. Therefore, this element of Rule 23(e)(2)(C) also weighs in favor of approval.

**4. Class Members Are Treated Equitably Relative To Each Other.**

The fourth and final factor under Rule 23(e)(2), directs the Court to consider whether class members are treated equitably relative to each other. Fed. R. Civ. P. 23(e)(2)(D). According to the advisory committee notes, this factor is closely related to the adequacy requirement of Rule 23(a). The Court expressly considers whether the settlement provides equitable “treatment of some class members vis-à-vis others,” and an issue that has been raised by some objectors is whether the settlement apportions “relief among class members [that] takes appropriate account of differences among their claims, and whether the scope of the release may affect class members in different ways.” Adv. Comm. Notes 23(e)(2) (2018).

As an initial matter, the class members all have similar claims arising from the same event: the Equifax data breach. And as all class members are eligible to claim the various benefits provided by the settlement if they meet the requirements, they all are treated equitably under the settlement.

While class members who have incurred out-of-pocket losses will be able to recover more relative to class members who have not, this allocation is fair and equitable because these class members would have had the ability to seek greater



damages at trial. Additionally, the settlement provides for an extended claims period of four years after the initial claims period, through January 2024. This provides the opportunity for all class members to make claims for future out-of-pocket losses resulting from the breach.

All class members, regardless of whether they incurred out-of-pocket losses, are eligible to claim credit monitoring. This also treats class members fairly. “The emphasis on this form of relief is logical because it is directly responsive to the ongoing injury resulting from the breach.” *Anthem*, 327 F.R.D. at 332; *see also* App. 6, ¶ 41 (stating that “[t]he features included in the Experian services are particularly helpful for consumers concerned about identity theft, because they are designed to quickly help identify fraudulent misuse of a consumer’s personal information”).

Moreover, all class members—even those who do not submit claims—benefit from the various non-monetary aspects of the settlement, including access to identity restoration services and the business practice changes that Equifax will implement at a cost of at least \$1 billion. (*See* App. 2, ¶ 21). By addressing the alleged injuries class members suffered and by helping to mitigate future harm—through the extended claims period, availability of credit monitoring and identity restoration services, and mandated business practice changes—the settlement is equitable to all class members.

Finally, class members have been treated equitably despite the fact that they reside in different states and may have been able to assert different statutory claims depending on the state in which they reside. All class members share at least one common claim for negligence under Georgia law, and as to the statutory remedies that survived the motion to dismiss, the Court does not find that those remedies are materially different such that they render the plan of apportionment inequitable. Although some statutory claims may permit a plaintiff to seek statutory damages, Georgia law permits all class members to seek nominal damages and there are additional risks associated with those statutory claims that persuade the Court they are not materially more beneficial so as to render the settlement unfair.

This final factor of Rule 23(e)(2) thus supports this Court's finding that the settlement is fair, reasonable, and adequate and should be approved.

**5. The Bennett Factors Support Approving The Settlement As Fair, Reasonable, And Adequate.**

In addition to the rule-based factors set forth in Rule 23, in considering whether to approve the settlement the Court is further guided by the factors set forth in *Bennett v. Behring Corp.*, 737 F.2d 982, 986 (11th Cir. 1984). These factors include: (1) the likelihood of success at trial; (2) the range of possible recovery; (3) the range of possible recovery at which a settlement is fair, adequate, and reasonable; (4) the anticipated complexity, expense, and duration of litigation; (5) the opposition to the settlement; and (6) the stage of proceedings at which the settlement was

achieved. *Faught v. Am. Home Shield Corp.*, 668 F.3d 1233, 1240 (11th Cir. 2011). Many of these considerations overlap those found in Rule 23(e)(2); all of them support final approval.

As explained above with respect to consideration of Rule 23(e)(2), the first and fourth *Bennett* factors strongly support approving the settlement. The likelihood of success at trial is uncertain at best. Equifax would have no doubt renewed its defenses at the summary judgment stage and the settlement provides relief that may not have been available had the case been tried. The case would have been extraordinarily expensive to litigate going forward and would have certainly taken years to conclude. Likewise, consideration of the second and third *Bennett* factors support the settlement as fair, reasonable, and adequate because the settlement reflects relief the Court finds is in the high range of what could have been obtained had the parties continued to litigate.

The fifth *Bennett* factor, which examines opposition to the settlement, likewise supports approval. In the Court's view, the class has reacted positively to the settlement. In contrast to the 15 million claims, including over 3.3 million claims for credit monitoring that already have been filed by verified class members, only 2,770 settlement class members asked to be excluded from the settlement and only 388 class members directly objected to the settlement—many in the wake of incomplete or misleading media coverage, or at the behest of serial class action

objectors, and often demonstrating a flawed understanding of the settlement terms. This miniscule number of objectors in comparison to the class size is entitled to significant weight in the final approval analysis. *See, e.g., Lipuma v. Am. Express Co.*, 406 F. Supp. 2d 1298, 1324 (S.D. Fla. 2005) (“[A] low percentage of objections points to the reasonableness of a proposed settlement and supports its approval”); *In re Home Depot, Inc. Customer Data Sec. Breach Litig.*, 2016 WL 6902351, at \*4 (N.D. Ga. Aug. 23, 2016) (same).

With respect to the sixth *Bennett* factor, the Court finds that the case settled at a stage of the proceedings where class counsel had sufficient knowledge of the law and facts to fairly weigh the benefits of the settlement against the potential risk of continued litigation. (*See, e.g.*, App. 1, ¶¶ 4-15; Doc. 739-4, ¶ 36). In particular, class counsel conducted a thorough factual and legal investigation in order to prepare their comprehensive consolidated amended complaint; exhaustively researched and analyzed the applicable law; reviewed more than 500,000 pages of documents and voluminous electronic spreadsheets from Equifax [*see generally*, Doc. 900-1, ¶¶ 6-14; Doc. 739-4, ¶ 17]; consulted with various experts; had the benefit of substantial informal discovery, including meetings with Equifax and its senior employees responsible for data security [Doc. 900-1, ¶ 14; Doc. 739-4, ¶ 23]; and engaged in confirmatory discovery after the term sheet was finalized. [Doc. 739-4, ¶ 36]. Thus, the *Bennett* factors, like the Rule 23 factors, strongly support approval of the

settlement.

Finally, in evaluating whether the settlement is fair, reasonable, and adequate, the Court also gives due weight to the judgment of class counsel. *See, e.g., Nelson v. Mead Johnson & Johnson Co.*, 484 F. App'x 429, 434 (11th Cir. 2012) (“Absent fraud, collusion, or the like, the district court should be hesitant to substitute its own judgment for that of counsel.”); *Cotton v. Hinton*, 559 F.2d 1326, 1330 (5th Cir. 1977). Class counsel are highly experienced in significant complex litigation including large and complex data breach class actions [Doc. 187, pp. 6-7], and they strongly believe that both the economic and injunctive relief secured for the class here is extraordinary. [Doc. 739-4, ¶ 60; *see also* App. 1, ¶ 16]. Also significant is Judge Phillips’s endorsement of the settlement, particularly given his experience in mediating large-scale data breach cases. [Doc. 739-9, ¶ 13]. Finally, the fact that nearly all of the applicable state and federal regulators agreed to the provision of consumer redress through the settlement fund in this action strongly demonstrates the fairness of the settlement.

In conclusion, the settlement reflects an outstanding result for the class in a case with a high level of risk. The relief provided by this settlement—both monetary and non-monetary—exceeds the relief provided in other data breach settlements and the Court finds is in the high range of possible recoveries if the case had successfully been prosecuted through trial. Moreover, the settlement resulted from hard fought,

arm's-length negotiations, not collusion. The settlement is therefore fair, reasonable, and adequate under Rule 23 and Eleventh Circuit precedent.

**B. The Court Certifies The Settlement Class.**

The Court must examine whether this proposed settlement class may be certified under Rule 23(a)'s prerequisites and under Rule 23(b)(3). *Amchem Products, Inc. v. Windsor*, 521 U.S. 591, 613-14 (1997). The Court previously concluded it was likely to certify the following settlement class:

The approximately 147 million U.S. consumers identified by Equifax whose personal information was compromised as a result of the cyberattack and data breach announced by Equifax Inc. on September 7, 2017.

Excluded are (i) Equifax, any entity in which Equifax has a controlling interest, and Equifax's officers, directors, legal representatives, successors, subsidiaries, and assigns; (ii) any judge, justice, or judicial officer presiding over this matter and the members of their immediate families and judicial staff; and (iii) any individual who timely and validly opts out of the settlement class. As the Court ruled on Equifax's motion to dismiss, all of these class members state claims for negligence and negligence per se under Georgia law. [Doc. 540, at 9, 29-43]. For the reasons set forth below, the Court hereby finally certifies, for settlement purposes only, the settlement class pursuant to Fed. R. Civ. P. 23.

**1. Fed. R. Civ. P. 23(a) Requirements Are Satisfied.**

**a) Numerosity:**

Rule 23(a)(1) requires that a proposed settlement class be so numerous that joinder of all class members is impracticable. Fed. R. Civ. P. 23(a)(1). The settlement class consists of more than 147 million U.S. consumers, indisputably rendering individual joinder impracticable.

**b) Commonality:**

“Commonality requires the plaintiff to demonstrate that the class members ‘have suffered the same injury,’ such that ‘all their claims can productively be litigated at once.’” *Wal-Mart Stores, Inc. v. Dukes*, 564 U.S. 338, 349-350 (2011); *see also Sellers v. Rushmore Loan Mgmt. Servs., LLC*, 941 F.3d 1031, 1039 (11th Cir. 2019) (noting inquiry is far less demanding than Rule 23(b)(3)’s predominance requirement). All members of the class suffered the same alleged injury, exposure of their data in the Equifax data breach, stemming from the same conduct and the same event. The class members are asserting the same or substantially similar legal claims. And “[t]he extensiveness and adequacy of [defendants’] security measures lie at the heart of every claim.” *Anthem*, 327 F.R.D. at 308. As the central question in all class members’ claims is whether Equifax breached its duty of care through its conduct with regard to their personal information, common questions are apt to drive the resolution of the legal issues in the case. *Id.*

Courts, including this one, have previously addressed this requirement in the context of data breach class actions and found it readily satisfied. *See, e.g., Home Depot*, [2016 WL 6902351](#), at \*2 (finding that multiple common issues “all center on [the defendant’s] conduct, satisfying the commonality requirement.”); *Anthem*, [327 F.R.D. at 308](#) (noting that “the complaint contains a common contention capable of class-wide resolution—‘one type of injury allegedly inflicted by one actor in violation of one legal norm.’”). The same sorts of common issues are present here, including whether Equifax had a legal duty to adequately protect class members’ personal information; whether Equifax breached that legal duty; and whether Equifax knew or should have known that class members’ personal information was vulnerable to attack. *See Home Depot*, [2016 WL 6902351](#), at \*2. Commonality is satisfied.

**c) Typicality:**

Rule 23(a)(3) requires that the claims or defenses of the representative parties be typical of the claims or defenses of the class. [Fed. R. Civ. P. 23\(a\)\(3\)](#). This prong too is readily met in settlements of nationwide data breach class actions. *See Anthem*, [327 F.R.D. at 309](#) (“[I]t is sufficient for typicality if the plaintiff endured a course of conduct directed against the class.”). Plaintiffs’ claims here arise from the same data breach and Equifax’s conduct in connection with the data breach. The claims are also based on the same overarching legal theory that Equifax failed in its



common-law duty to protect their personal information. The typicality requirement has been met.

**d) Adequacy of Representation:**

As noted above, the adequacy requirement is satisfied here, as the class representatives do not have any interests antagonistic to other class members, and the class has been well represented by the appointed class counsel. The Court finds that the class representatives have fulfilled their responsibilities on behalf of the class. There is at least one class representative from each state, and therefore the potential interests of class members with various state law claims have been represented. The Court further finds no material differences that would render these class representatives inadequate. Likewise, the Court further finds that class counsel have prosecuted the case vigorously and in the best interests of the class, and they adequately represented each class member.

Again, the Court notes that this prong too has been readily met in nationwide data breach class action settlements. *See Home Depot*, 2016 WL 6902351, at \*2. And multiple courts have found the adequacy requirement satisfied in nationwide data breach class action settlements in the face of objections to the contrary. *See Anthem*, 327 F.R.D. at 310 (“To the extent that there are slight distinctions between Settlement Class Members, the named Plaintiffs are a representative cross-section of the entire Class.”); *see generally In re Target Corp. Customer Data Sec. Breach*

*Litig.*, 892 F.3d 968, 974 (8th Cir. 2018) (rejecting challenge to adequacy due to lack of “future-damages subclass”). The Court has identified no conflicts among class members here. And significantly, even the existence of minor conflicts does not defeat certification: “the conflict must be a fundamental one going to the specific issues in controversy.” *Valley Drug Co. v. Geneva Pharm., Inc.*, 350 F.3d 1181, 1189 (11th Cir. 2003) (internal quotations and citations omitted). If any conflict exists among class members or groups of class members, that conflict certainly is not fundamental. The Court has no doubt that the class representatives and class counsel have performed their duties in the best interests of the class.

**2. The Settlement Class Meets the Requirements of Fed. R. Civ. P. 23(b)(3).**

Rule 23(b)(3) requires that “questions of law or fact common to class members predominate over any questions affecting only individual members,” and that class treatment is “superior to other available methods for fairly and efficiently adjudicating the controversy.” *Id.* The matters pertinent to these findings include:

- the class members’ interests in individually controlling the prosecution or defense of separate actions;
- the extent and nature of any litigation concerning the controversy already begun by or against class members;
- the desirability or undesirability of concentrating the litigation of the claims in the particular forum; and
- the likely difficulties in managing a class action.

Fed. R. Civ. P. 23(b); *see also Vega v. T-Mobile USA, Inc.*, 564 F.3d 1256, 1278 (11th Cir. 2009) (“In determining superiority, courts must consider the four factors of Rule 23(b)(3).”). One part of the superiority analysis—manageability—is irrelevant for purposes of certifying a settlement class. *Amchem*, 521 U.S. at 620.

**a) Predominance:**

The predominance requirement “tests whether proposed classes are sufficiently cohesive to warrant adjudication by representation.” *Id.* at 623. “Common issues of fact and law predominate if they have a direct impact on every class member’s effort to establish liability and on every class member’s entitlement to ... relief.” *Carriuolo v. Gen. Motors Co.*, 823 F.3d 977, 985 (11th Cir. 2016).

Here, as set forth above, there are numerous common questions. These common questions predominate because all claims arise out of a common course of conduct by Equifax. The focus on a defendant’s security measures in a data breach class action “is the precise type of predominant question that makes class-wide adjudication worthwhile.” *Anthem*, 327 F.R.D. at 312.

Even though this is a nationwide class action, variations in state law will not predominate over the common questions. The Court previously found that Georgia law applies to the negligence claims of the entire class. [Doc. 540 at 8-9].<sup>2</sup> Further,

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<sup>2</sup> Even if Georgia law did not apply to the negligence claims of the entire class, “Plaintiffs’ negligence claims would not get bogged down in the individualized

in the context of this litigation, the Court is persuaded that the presence of multiple state consumer protection laws does not defeat predominance, because “the idiosyncratic differences between state consumer protection laws are not sufficiently substantive to predominate over the shared claims” for purposes of Rule 23(b)(3). *Anthem*, 327 F.R.D. at 315. In *Anthem*, the court found it noteworthy that “Plaintiffs’ theories across these consumer-protection statutes are essentially the same” thereby avoiding any pitfalls of state law variation. *Id.* (quoting *In re Mex. Money Transfer Litig.*, 267 F.3d 743, 747 (7th Cir. 2001)). Here too, the core allegations are that Equifax failed to implement and maintain reasonable security and privacy measures and failed to identify foreseeable security and privacy risks.

Perhaps the only significant individual issues here involve damages, but these issues do not predominate over the common issues in this case. *See, e.g., Home Depot*, 2016 WL 6902351, at \*2; *Anthem*, 327 F.R.D. at 311-16; *see also Brown v. Electrolux Home Prods., Inc.*, 817 F.3d 1225, 1239 (11th Cir. 2016) (individualized damages generally do not defeat predominance). Further minimizing any risk of individual damages predominating over common issues, the consolidated amended complaint seeks nominal damages on behalf of all class members, which may be available under Georgia law even where no evidence is given of any particular

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causation issues that sometimes plague products-defect cases. ... [because] the same actions by a single actor wrought the same injury on all Settlement Class Members together.” *Anthem*, 327 F.R.D. at 314.

amount of loss. *See, e.g., Georgia Power Co. v. Womble*, 150 Ga. App. 28, 32 (1979); *Land v. Boone*, 265 Ga. App. 551, 554 (2004).

**b) Superiority:**

“The inquiry into whether the class action is the superior method for a particular case focuses on increased efficiency.” *Agan v. Katzman & Korr, P.A.*, 222 F.R.D. 692, 700 (S.D. Fla. 2004) (internal quotation omitted). “The focus of this analysis is on the relative advantages of a class action suit over whatever other forms of litigation might be realistically available to the plaintiffs.” *Sacred Heart Health Sys., Inc. v. Humana Military Healthcare Servs., Inc.*, 601 F.3d 1159, 1183-84 (11th Cir. 2010) (internal quotation omitted). That a class member may not receive a large award in a settlement does not scuttle superiority; the opposite tends to be true. *See Dickens v. GC Servs. Ltd. P’ship*, 706 F. App’x 529, 538 (11th Cir. 2017) (describing “the ways in which the high likelihood of a low per-class-member recovery militates in favor of class adjudication”).

Here, it is inconceivable that the vast majority of class members would be interested in controlling the prosecution of their own actions. The cost of doing so, especially for class members who do not claim out-of-pocket losses, would dwarf even a full recovery at trial. A major thrust of Equifax’s motion to dismiss was that the plaintiffs did not suffer any damages, let alone the “relatively paltry potential recoveries” that class actions serve to vindicate. *See Sacred Heart*, 601 F.3d at 1184.

Given the technical nature of the facts, the volume of data and documents at issue, and the unsettled area of the law, it would not take long for an individual plaintiff's case to be hopelessly submerged financially. On the other hand, the presence of such pertinent predominant questions makes certification here appropriate. *Compare Anthem*, 327 F.R.D. at 312 (data breach dealt with “the precise type of predominant question that makes class-wide adjudication worthwhile”) with *Sacred Heart*, 601 F.3d at 1184 (“[T]he predominance analysis has a tremendous impact on the superiority analysis[.]”) (internal quotation marks omitted).

As to the extent and nature of litigation already commenced, the settlement agreement identifies 390 consumer cases related to this multidistrict litigation, and there are more than 147 million class members. As the Judicial Panel on Multidistrict Litigation stated, “[c]entralization will eliminate duplicative discovery, prevent inconsistent pretrial rulings on class certification and other issues, and conserve the resources of the parties, their counsel, and the judiciary.” *In re: Equifax, Inc., Customer Data Sec. Breach Litig.*, 289 F. Supp. 3d 1322, 1325 (JPML 2017). The settlement furthers those goals. Similarly, it is desirable to concentrate the litigation of the claims here, which was selected as the transferee district because, among other reasons, Equifax is headquartered in this district, the vast majority of the plaintiffs supported this district, and “far more actions [were] pending in this district than in any other court in the nation.” *Id.* at 1326.

Because the requirements of Rule 23(a) and (b)(3) have been satisfied, the Court certifies the settlement class.

### III. THE COURT OVERRULES ALL OBJECTIONS TO THE SETTLEMENT.

The Court now addresses objections to the settlement. The objections fail to establish the settlement is anything other than fair, reasonable, and adequate.

Out of the approximately 147 million class members, only 388 directly objected—or just 0.0002 percent of the class—despite organized efforts to solicit objections using inflammatory language and based on false and misleading statements about the settlement, such as that only \$31 million is available to pay claims and that if all 147 million class members filed claims everyone would get 21 cents.<sup>3</sup> Many objections repeat these false and misleading assertions as fact and challenge the settlement on that basis. Further, on the eve of the objection deadline, an additional 718 form “objections,” which allegedly had been filled out online by class members, were submitted *en masse* by Class Action Inc., a class action claims aggregator that created a website ([www.NoThanksEquifax.com](http://www.NoThanksEquifax.com)) with a “chat-bot” that encouraged individuals to object based on that same erroneous information.<sup>4</sup>

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<sup>3</sup> Charlie Warzel, *Equifax Doesn’t Want You to Get Your \$125. Here’s What You Can Do*, THE NEW YORK TIMES (Sept. 16, 2019), <https://www.nytimes.com/2019/09/16/opinion/equifax-settlement.html>.

<sup>4</sup> Reuben Metcalfe, *You have the right to object to the Equifax settlement. Here’s how.*, MEDIUM (Nov. 8, 2019), <https://medium.com/@reubenmetcalfe/you-have->

(App. 1, ¶¶ 49-59). These form “objections” are procedurally invalid for the reasons set forth later in this Order.

The Court has considered and hereby rejects all of the objections on their merits, whether or not the objections are procedurally valid or whatever may have motivated their filing. All of the objections are in the record, having been filed publicly on the Court’s docket with the declaration of the claims administrator. [Doc. 899]. By way of example only, this Order references some of the objectors by name. The Court groups the objections as follows: (1) objections to the value of the settlement and benefits conferred on the class; (2) objections relating to the alternative compensation benefit; (3) objections relating to class certification; (4) objections relating to the process for objecting; (5) objections relating to the process for opting-out; (6) objections to the notice plan; and (7) objections to the claims process.<sup>5</sup>

In addition to the briefing from class counsel and Equifax’s counsel, and the Court’s own independent review and analysis, the Court reviewed and found helpful to this process the supplemental declaration of Professor Robert Klonoff (App. 2).

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the-right-to-object-to-the-equifax-settlement-heres-how-4dfdb6cca663. As demonstrated in the record, Mr. Metcalfe represented to class counsel that he had not even read the settlement agreement or notice materials. [Doc. 939-1, ¶ 36].

<sup>5</sup> For the sake of organization, objections to attorneys’ fees, expenses, and service awards are addressed separately below. The Court’s consideration of attorneys’ fees, and relating objections, are an integral part of the determination to finally approve the settlement under the criteria of Rule 23.



Professor Klonoff's declaration was particularly helpful to the Court in the organization and consideration of the objections, but the Court's decisions regarding the objections are not dependent upon his declaration or the declarations plaintiffs submitted from two other lawyers, Professor Geoffrey Miller and Harold Daniel. To the contrary, the Court has exercised its own independent judgment in deciding to reject all of the objections that have been filed.

**A. Objections To The Value Of The Settlement And Benefits Conferred On The Class.**

A majority of the objectors express frustration with Equifax's business practices and want Equifax and its senior management to be punished. The Court is well aware of the intense public anger about the breach, which, in the Court's view, reflects the sentiment that consumers generally do not voluntarily give their personal information directly to Equifax, yet Equifax collects and profits from this information and allegedly failed to take reasonable measures to protect it.

While understandable, the public anger does not alter the Court's role, which is not to change Equifax's business model or administer punishment. Under the law, the Court is only charged with the task of determining whether the proposed settlement is fair, reasonable, and adequate.<sup>6</sup> And, with regard to that task, no one

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<sup>6</sup> See *Ressler v. Jacobson*, 822 F. Supp. 1551, 1552-53 (M.D. Fla. 1992) (judicial evaluation of a proposed settlement "involves a limited inquiry into whether the possible rewards of continued litigation with its risks and costs are outweighed by

can credibly deny that this is a historically significant data breach settlement that provides substantial relief to class members now and for years into the future. Or, that if the Court does not approve the settlement, the plaintiffs' claims may ultimately be unsuccessful and class members may be left with nothing at all.

Objections that the settlement fund is too small for the class size, or that Equifax should be required to pay more, do not take into account the risks and realities of litigation, and are not a basis for rejecting the settlement. "Data-breach litigation is in its infancy with threshold issues still playing out in the courts." *Anthem*, 327 F.R.D. at 317. In light of the material risks involved and the possibility that any of several adverse legal rulings would have left the class with nothing, class counsel would have been justified in settling for much less. *See Behrens v. Wometco Enters., Inc.*, 118 F.R.D. 534, 542 (S.D. Fla. 1998), *aff'd*, 899 F.2d 21 (11th Cir. 1990); *Linney v. Cellular Alaska P'ship*, 151 F.3d 1234, 1242 (9th Cir. 1998) ("[T]he very essence of a settlement is compromise, a yielding of absolutes and an abandoning of highest hopes.") (internal quotation omitted). As it stands, in many respects the settlement provides relief beyond what the class members could have

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the benefits of the settlement"); *Figueroa v. Sharper Image Corp.*, 517 F. Supp. 2d 1292, 1326 (S.D. Fla. 2007) (a court's role is not to "engage in a claim-by-claim, dollar-by-dollar evaluation, but rather, to evaluate the proposed settlement in its totality."); *Carter v. Forjas Taurus, S.A.*, 701 F. App'x 759, 766 (11th Cir. 2017) ("settlements are compromises, providing the class members with benefits but not full compensation.").

obtained at trial.

Many objectors also ask the Court to rewrite the settlement, but that is beyond the Court's power.<sup>7</sup> For example, objectors demand that the settlement should include: a long-term fund for "significant inflation-adjusted cash compensation from Equifax should they leak my data again any time within the next 20 years"<sup>8</sup>; "lifetime" credit and identity protection<sup>9</sup>; a minimum cash payment for every class member (proposed amounts include \$10,000, \$5,000, or \$1,200)<sup>10</sup>; and a separate cash option for class members who freeze their credit.<sup>11</sup> In most cases, these objectors do not contend that the monetary relief is inadequate to compensate class members for any harm caused by Equifax's alleged wrongs, making it hard to see how they are aggrieved. *See Brown v. Hain Celestial Grp., Inc.*, [2016 WL 631880](#), at \*10 (N.D. Cal. Feb. 17, 2016) (citing *In re First Capital Holdings Corp. Fin. Prods. Sec. Litig.*, [33 F.3d 29](#) (9th Cir. 1994)).<sup>12</sup> Regardless, the Court readily

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<sup>7</sup> *Cotton*, [559 F.2d at 1331](#); *Howard v. McLucas*, [597 F. Supp. 1504, 1506](#) (M.D. Ga. 1984) ("[T]he court's responsibility to approve or disapprove does *not* give this court the power to force the parties to agree to terms they oppose." (emphasis in original)), *rev'd in part on other grounds*, [782 F.2d 956](#) (11th Cir. 1986).

<sup>8</sup> Objection of Tristan Wagner.

<sup>9</sup> *E.g.*, Objections of Francis J. Dixon III and Linda J. Moore.

<sup>10</sup> *E.g.*, Objections of Emma Britton, Norma Kline, and Vijay Srikrishna Bhat.

<sup>11</sup> *E.g.*, Objections of Gary Brainin and Sybille Hamilton. These objections ignore, however, that class members could request out-of-pocket losses if they paid to freeze their credit.

<sup>12</sup> Those class members who were unsatisfied with the relief made available had the opportunity to opt out, weighing in favor of finding the settlement fair, reasonable,

concludes that the settlement provides fair and adequate relief under all of the circumstances.

Other settlement terms proposed by objectors are of a regulatory or legislative nature, well beyond the power of the civil justice system. For example, according to some objectors, “[a]ny settlement is inadequate if it allows Equifax to continue using my personal data without my express written consent”<sup>13</sup>; the board and officers should disgorge their salaries and serve prison time<sup>14</sup>; or Equifax should be forced out of business.<sup>15</sup> These “suggestions constitute little more than a ‘wish list’ which would be impossible to grant and [are] hardly in the best interests of the class.” *In re Domestic Air Trans. Antitrust Litig.*, 148 F.R.D. 297, 305 (N.D. Ga. 1993). No objector explains how this type of relief could be achieved at trial.

A number of objectors take issue with the credit monitoring services made available under the settlement. Some object that credit monitoring is very valuable, and thus the settlement should pay for more monitoring extended beyond ten years. Others object that credit monitoring is not valuable at all, that free credit monitoring and credit freezes are already available to everyone, that the value of the offered

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and adequate. *See, e.g., In re Oil Spill By Oil Rig Deepwater Horizon on April 20, 2010*, 295 F.R.D. 112, 156 (E.D. La. 2013) (“Those objectors who are unhappy with their anticipated settlement compensation could have opted out and pursued additional remedies through individual litigation.”).

<sup>13</sup> Objection of Susan S. Hanis.

<sup>14</sup> *E.g.*, Objections of Christie Biehl, Jeffrey Biehl, George Bruno, and Patrick Frank.

<sup>15</sup> *E.g.*, Objections of David Goering, Christie Biehl, and Jeffrey Biehl.

monitoring is inflated to justify an inadequate settlement, and that the actual cost to provide credit monitoring services is *de minimis*.

This Court, like others before it, finds that credit monitoring is a valuable settlement benefit, particularly so the credit monitoring offered to class members in this case for such a lengthy period of time.<sup>16</sup> The credit monitoring provider has explained how the product offered in the settlement is better than the “free” monitoring products typically available to the public, and how the services seek to both prevent and address identity theft concerns. *See* App. 6, ¶¶ 33-43 (summarizing the advantages of the Experian credit monitoring and identity protection service negotiated as part of this settlement over other services available). Its comparable retail value is \$24.99 per month. *Id.* It provides for \$1 million in identity theft insurance and identity restoration services—features designed to address identity theft. And as reported by the claims administrator, millions of class members have chosen to make a claim for the services, further demonstrating their value.

This Court has repeatedly lauded high-quality credit monitoring services as providing valuable class-member relief that would likely not otherwise be

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<sup>16</sup> *See Target and Anthem, supra*; *see also Home Depot*, [2016 WL 6902351](#), at \*4 (overruling objections and finding that 18 months of credit monitoring and injunctive components of settlement are valuable class benefits); *Hillis v. Equifax Consumer Servs. Inc.*, [2007 WL 1953464](#), at \*5 (N.D. Ga. June 12, 2007) (credit monitoring as part of settlement has substantial value).

recoverable at trial, as have other courts in connection with other data breach settlements.<sup>17</sup> Finally, if class members do not wish to claim the credit monitoring option, they can elect alternative cash compensation—which is a form of relief that would not even be recoverable at trial—or opt out of the settlement.<sup>18</sup> After careful consideration of the objections, the size and scope of relief secured by this settlement remains unprecedented and strongly supports final approval.

**B. Objections Relating To The Alternative Compensation Benefit.**

Many objectors challenge the adequacy of the alternative compensation benefit, complaining that they will not receive a \$125 payment that they believe they were promised. Objectors also suggest that the parties and, implicitly by approving the notice plan, the Court, misled the public by stating that all class members were entitled to \$125 simply by filing a claim or that the parties engaged in some sort of “bait and switch” to keep class members from getting \$125. While the Court appreciates the vehemence with which some of these objections are expressed, the

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<sup>17</sup> At the fairness hearing, class counsel summarized the benefits available in the credit monitoring and identity protection plan that was specifically negotiated as part of the settlement. The Court has had the opportunity to review the benefits provided, as well as the estimation of the value of those benefits, and this information has informed the Court of its decision to approve the settlement.

<sup>18</sup> See, e.g., *Greco v. Ginn Dev. Co., LLC*, 635 F. App’x 628, 635-36 (11th Cir. 2015) (“If [objector] was displeased with the consideration provided to him under the settlement . . . he was free . . . to opt out of the settlement.”); *Faught*, 668 F.3d at 1242 (to the same effect); *Lee v. Ocwen Loan Servicing, LLC*, No. 14-cv-60649, 2015 WL 5449813, at \*13 (S.D. Fla. Sept. 14, 2015) (to the same effect).

reality is that the objections are misguided, ignore the limits of litigation, and are based upon a misunderstanding of the settlement.

Class counsel have explained that among their primary goals in the settlement negotiations were to ensure that consumers with out-of-pocket losses from dealing with identity theft that had already occurred or by taking precautionary measures would be reimbursed, that all 147 million class members would have the opportunity to get high quality credit monitoring to detect and defend against future identity theft, and that all class members would have access to identity restoration services if they learn they have been victimized by identity theft. The structure of the settlement reflects those goals, which the Court finds were appropriate and reasonable.

Contrary to the impression held by many objectors who are critical of the settlement, the purpose of the alternative compensation remedy was not to provide every class member with the opportunity to claim \$125 simply because their data was impacted by the breach (and those who object provide no statutory support that they would be entitled to such an automatic payment at trial). Rather, its purpose was to provide a modest cash payment as an “alternative” benefit for those who, for whatever reason, have existing credit monitoring services and do not wish to make a claim for the credit monitoring offered under the settlement. Thus, under the settlement, alternative compensation is expressly limited to those who already have credit monitoring services, do not want the credit monitoring services available

under the settlement, attest they will maintain their own service for at least six months, and provide the name of their current credit monitoring service. Moreover, those individuals who paid for their own credit monitoring service after the breach are able to file a claim to recoup what they paid for those credit monitoring services as out-of-pocket losses in addition to making a claim for the alternative reimbursement compensation available under the settlement.

The Court finds that the parties' decision to settle on terms that did not provide a cash payment to every class member was reasonable; indeed, settlement likely would not have been possible otherwise. The Court is skeptical that, even if it had the financial ability to do so, Equifax would ever willingly pay (or even expose itself to the risk of paying) the billions of dollars that providing a substantial cash payment to all class members would cost. The Court also finds that limiting the availability of the alternative compensation benefit in the way that is done under the settlement was reasonable, and the settlement would have easily been approved had there been no alternative compensation benefit at all.

The alternative compensation remedy was capped at \$31 million as a result of arm's length negotiations. As compared to the settlement fund amounts earmarked for out-of-pocket losses, the Court finds this apportionment to be entirely equitable. Class members who incurred out-of-pocket losses—including paying for credit monitoring or credit freezes after announcement of the breach—have stronger claims



for damages, and those who do not are also entitled to claim credit monitoring and identity restoration services going forward, which provides protection and assistance to class members who are subject to identity theft during the term of the settlement. It appears that the distribution plan will successfully achieve its goals. According to the settlement administrator, even after paying the costs of credit monitoring and identity restoration services, the settlement fund (as supplemented with an additional \$125 million if needed) likely will have sufficient money to pay class members with demonstrable out-of-pocket losses the entire amount of their approved claims. And, any money remaining in the fund after the extended claims period will be used to lift the cap on alternative compensation, allowing alternative compensation claimants to receive an additional, pro rata payment—which many objectors ignore.<sup>19</sup>

The notice plan the Court approved in its Order Directing Notice explained that the amount available to pay alternative compensation claims was capped and that individual class members might receive less than \$125. The long form notice (which was posted on the settlement website as of July 24, 2019—the same date that class members could start making claims), for example, told class members that they could get “up to” \$125 in alternative compensation and further stated: “If there are more than \$31 million in claims for Alternative Reimbursement Compensation, all

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<sup>19</sup> Objections have also been made to the \$38 million cap on claims for time. For the same reasons, the Court rejects these objections.

payments for Alternative Reimbursement Compensation will be lowered and distributed on a proportional basis.” [[Doc. 739-2 at 266](#)].

On the same day that the proposed settlement was first presented to this Court and well before the Court-approved email notices were sent to class members, regulators announced their own settlements with Equifax that incorporated the proposed settlement’s consumer restitution terms in this case, including the alternative compensation benefit. In covering the regulators’ announcements, media outlets began reporting that consumers could get \$125 under the settlement without describing the limited purpose of and the eligibility requirements for the alternative compensation benefit. The ability to receive \$125 under the settlement was also touted on social media, adding to the public misperception. (App. 1, ¶¶ 30-37).

The settlement website began accepting claims on July 24, 2019, shortly after the settlement was preliminarily approved. In the ensuing days, millions of claims for alternative compensation were filed. Because of the claims volume and the \$31 million cap, it quickly became apparent to class counsel that alternative compensation claimants likely would receive a small fraction of what they may have expected based upon media reports, although the specific amount they would receive was unknown. (The specific amount alternative compensation claimants will be paid is unknowable until after the total number of valid alternative compensation claims is determined following the end of the initial claims period and, even then, their

payments may be supplemented following the extended claims period if additional money remains after claims for out-of-pocket losses have been satisfied.) (App.1, ¶¶ 43-44).

Class counsel acted immediately to ensure that class members were not disadvantaged by the misleading media reports and the widespread public misperception about the alternative compensation benefit. They proposed a plan to Equifax and, after receiving input from regulators, presented the plan to the Court at a hearing held on July 30, 2019. The essence of the plan entailed notifying class members that, because of the claims volume, alternative compensation claimants likely would receive much less than \$125 so that, going forward, class members would have that information in making a choice between credit monitoring and alternative compensation. The plan also afforded those who had already filed a claim a renewed opportunity to choose credit monitoring rather than alternative compensation. The Court approved the plan at the hearing and directed the parties to implement its terms. They did so. (App.1, ¶¶ 43-44).

On August 1, 2019, class counsel distributed a statement to the media explaining the limitations of the alternative compensation benefit and urging class members to rely only on the official court notice, not what they heard or read in the media. On August 2, 2019, a statement was placed in a prominent position on the home page of the settlement website that read:

If you request or have requested a cash benefit, the amount you receive may be significantly reduced depending on how many valid claims are ultimately submitted by other class members. Based on the number of potentially valid claims that have been submitted to date, payments for time spent and alternative compensation of up to \$125 likely will be substantially lowered and will be distributed on a proportional basis if the settlement becomes final. Depending on the number of additional valid claims filed, the amount you receive may be a small percentage of your initial claim.

On August 7, 2019, the direct email notice campaign that the Court approved in its July 22, 2019 Order Directing Notice commenced. The first email notice, which was sent to more than 100 million class members, prominently featured the same statement that had been added to the settlement website.<sup>20</sup> The same statement also was featured in a follow up email to the class. Moreover, a separate email was sent to all class members who had filed a claim for alternative compensation before August 2, 2019, repeating the same message and giving them the opportunity to choose credit monitoring if they wanted to switch their claim from alternative reimbursement. Also around this time, the FTC publicly announced that the alternative compensation claim would be less than \$125, recommended that class members select credit monitoring, and included the statement that any class member who already made a claim for alternative compensation could switch to claim credit

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<sup>20</sup> This statement was also included in the publication notice, which appeared as a full-page advertisement in *USA Today* on September 6, 2019.

monitoring.<sup>21</sup>

So, beginning August 2, 2019, all class members who went to the website to file a claim were put on notice that alternative compensation claimants in all likelihood would only receive a small percentage of \$125.<sup>22</sup> Beginning August 7, 2019, class members were given the same information as part of the Court-approved direct email notice program. And, all class members who filed an alternative compensation claim before August 2, 2019, were separately told of the situation and given an opportunity to amend their claim to choose credit monitoring instead of the cash payment if they wanted to do so. The Court thus finds that the notice plan approved by the Court on July 22, 2019, coupled with the supplemental plan approved at the July 30, 2019 hearing, provided reasonable and adequate notice to the class about the limits of the alternative compensation benefit and that class members had sufficient information and opportunity to make an informed choice between that benefit and credit monitoring.

The likelihood that alternative compensation claimants will receive

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<sup>21</sup> FTC Encourages Consumers to Opt for Free Credit Monitoring, as part of Equifax Settlement, FTC (July 31, 2019), *available at* <https://www.ftc.gov/news-events/press-releases/2019/07/ftc-encourages-consumers-opt-free-credit-monitoring-part-equifax>.

<sup>22</sup> The online claim form was also amended as of August 2, 2019 to advise that payments for the alternative compensation benefit may be less than \$125 depending on the number and amount of claims filed.

substantially less than \$125 does not mean that the relief afforded by the settlement is inadequate. To the contrary, as described above, the relief offered by the settlement is unprecedented in scope. The Court must evaluate the adequacy of the settlement in terms of the entirety of the relief afforded to the class. The other substantial benefits—including payment of out-of-pocket losses, credit monitoring, identity restoration services, and the reduction in the risk of another breach—would justify approval of the settlement as fair, reasonable, and adequate even if the settlement did not provide an alternative compensation benefit at all. Indeed, this Court has previously approved settlements that provided no alternative compensation benefit in the *Home Depot* and *Arby's* data breach cases.

Moreover, the likelihood that alternative compensation claimants will receive substantially less than \$125 is not unfair, and does not render the alternative compensation benefit itself inadequate. All of the alternative compensation claimants are eligible for the same relief made available to other class members, they received the same Court-approved communications as other class members disclosing that payments for alternative compensation claims would be a small percentage of \$125, and those who filed their claims before the above enhancements to the settlement website were implemented were given the opportunity to change their minds. That class members, armed with this information, chose alternative compensation rather than the more valuable credit monitoring services offered by

the settlement reflects their own personal decision, not a failing of the settlement or inadequate representation by class counsel. Moreover, the alternative compensation claimants retain the right to take advantage of all the other settlement benefits except credit monitoring.

It is unfortunate that inaccurate media reports and social media posts created a widespread belief that all class members, simply by filing a claim, would receive \$125. But the parties are not responsible for those reports and class counsel acted appropriately, diligently, and in the best interests of the class by taking corrective action when they learned of the erroneous reporting. Moreover, any class member who chose alternative compensation rather than credit monitoring has had ample opportunity to make a new choice. Accordingly, objections to the adequacy of the settlement based on the fact that alternative compensation claimants will not receive \$125; the manner in which class members were informed about the alternative compensation benefit; or the notion that class members were misled into choosing alternative compensation are overruled.

**C. Objections Relating To Class Certification.**

Objectors to class certification assert that the class representatives and counsel are not “adequate” for purposes of Rule 23(a)(4) because: (1) the interests of class members who have already incurred out-of-pocket losses conflict with those who

have incurred only a risk of future losses,<sup>23</sup> or (2) some state consumer protection laws implicate statutory penalties while others do not.<sup>24</sup> Thus, according to the objections, “fundamental” intra-class conflicts between subgroups exist, requiring numerous subclasses with separate counsel for each. *See, e.g., Amchem*, 521 U.S. at 591; *Ortiz v. Fibreboard Corp.*, 527 U.S. 815 (1999). These objections are wholly without merit as there simply are no fatal intra-class conflicts, fundamental or otherwise.

For the reasons set forth below, subclasses were not required here and, much more likely, would have been detrimental to the interests of the entire class. The practical effect of creating numerous subclasses represented by competing teams of lawyers would have decreased the overall leverage of the class in settlement discussions and rendered productive negotiations difficult if not impossible.<sup>25</sup> Further, if the case had not settled, the additional subclasses and lawyers likely would have made the litigation process, particularly discovery and trial, much harder to manage and caused needless duplication of effort, inefficiency, and jury

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<sup>23</sup> Objection of Shiyang Huang [Doc. 813 at 5-7].

<sup>24</sup> Objection of Frank and Watkins [Doc. 876 at 1].

<sup>25</sup> *See In re Oil Spill by Oil Rig Deepwater Horizon in Gulf of Mexico, on April 20, 2010*, 910 F. Supp. 2d 891, 919 (E.D. La. 2012), *aff’d sub nom. In re Deepwater Horizon*, 739 F.3d 790 (5th Cir. 2014) (district court wary of “[s]uch rigid formalism” of requiring subclasses, “which would produce enormous obstacles to negotiating a class settlement with no apparent benefit[.]”).



confusion.<sup>26</sup>

The Eleventh Circuit has provided the contours necessary for an objector to establish a fundamental conflict that may necessitate subclasses: “A fundamental conflict exists where some party members claim to have been harmed by the same conduct that benefitted other members of the class.” *Valley Drug Co. v. Geneva Pharm., Inc.*, 350 F.3d at 1189. “[T]he existence of minor conflicts alone will not defeat a party’s claim to class certification: the conflict must be a ‘fundamental’ one going to the specific issues in controversy.” *Id.* There is simply is no evidence of a fundamental intra-class conflict in this case. No class members were made better off by the data breach such that their interests in the outcome of the litigation are adverse to other class members. Similarly, all class members benefit from the proposed settlement, while none are harmed by it. In arguing otherwise, the objectors focus on minor differences within the class that are immaterial in the context of this case

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<sup>26</sup> Frank and Watkins contend that residents of each jurisdiction with statutory claims that survived the motion to dismiss should be served by separate counsel. (See Final Approval Hearing Tr., at 78-79). They also acknowledge that claims under consumer protection statutes from 33 jurisdictions survived. [Doc. 876, at 6]. The objectors’ approach thus would require at least 34 separate teams of lawyers (appointed class counsel plus lawyers for each jurisdiction), which would needlessly cause the scope of these proceedings to explode. The selection and appointment process alone would be incredibly time consuming and the duplication of effort involved in ensuring each legal team was adequately versed in the law and facts to assess the relative worth of their clients’ claims would be staggering. Ironically, the same objectors criticize the requested attorneys’ fees in this case on the basis that class counsel’s hours are inflated because too many lawyers worked on it. [Doc. 876, at 24].

and, in any event, do not defeat class certification.

Shiyang Huang’s objection—that this fact pattern is akin to *Amchem* and *Ortiz* because some class members have presently incurred out-of-pocket costs while others have not—was thoroughly analyzed and rejected in *Target*:

The *Amchem* and *Ortiz* global classes failed the adequacy test because the settlements in those cases disadvantaged one group of plaintiffs to the benefit of another. There is no evidence that the settlement here is similarly weighted in favor of one group to the detriment of another. Rather, the settlement accounts for all injuries suffered. Plaintiffs who can demonstrate damages, whether through unreimbursed charges on their payment cards, time spent resolving issues with their payment cards, or the purchase of credit-monitoring or identity-theft protection, are reimbursed for their actual losses, up to \$10,000. Plaintiffs who have no demonstrable injury receive the benefit of Target’s institutional reforms that will better protect consumers’ information in the future, and will also receive a pro-rata share of any remaining settlement fund. It is a red herring to insist, as [Objector] does, that the no-injury Plaintiffs’ interests are contrary to those of the demonstrable-injury Plaintiffs. All Plaintiffs are fully compensated for their injuries.

*Target*, 2017 WL 2178306, at \*5, *aff’d*, 892 F.3d at 973-76; *see generally id.* at \*2-9. Further, “the interests of the various plaintiffs do not have to be identical to the interests of every class member; it is enough that they share common objectives and legal or factual positions.” *Id.* at \*6 (quoting *Petrovic v. Amoco Oil Co.*, 200 F.3d 1140, 1148 (8th Cir. 1999)). As in *Target*, the class representatives are adequate here because they seek essentially the same things as all class members: compensation for whatever monetary damages they suffered and reassurance that their information

will be safer in Equifax's hands in the future. *Id.*<sup>27</sup>

Unlike here, *Amchem* and *Ortiz* were massive personal injury “class action[s] prompted by the elephantine mass of asbestos cases” that “defie[d] customary judicial administration.” *Prof'l Firefighters Ass'n of Omaha, Local 385 v. Zalewski*, 678 F.3d 640, 646 (8th Cir. 2012). In those cases adequacy was not sufficiently protected within a single class because claimants who suffered diverse medical conditions as a result of asbestos exposure wanted to maximize the immediate payout, whereas healthy claimants had a strong countervailing interest in preserving funds in case they became ill in the future. These vast differences between groups of claimants in *Amchem* required “caution [because] individual stakes are high and disparities among class members great.” *Amchem*, 521 U.S. at 625. Those concerns are simply not present in this consumer case where all class members allege the same injury from the compromise of their personal information. *See Anthem*, 327 F.R.D. at 314 (dispelling analogies to *Amchem* in the data breach context because “the same actions by a single actor wrought the same injury on all Settlement Class Members together”).

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<sup>27</sup> *See also Anthem*, 327 F.R.D. at 309-11 (analyzing and overruling same objection). This Court rejected a similar objection in the *Home Depot* consumer track. *See* 2016 WL 6902351 (rejecting all objections asserted by Sam Miorelli, including an objection that separate counsel was necessary to represent allegedly conflicting subclasses (No. 14-md-2583-TWT, Doc. 237 at 39-40) (objection); Doc. 245 at 21-23 (reply in support of final approval)).

Further, Mr. Huang's argument is particularly weak given the structure of the settlement in this case and the nature of the alleged harm to the class. While those who have already incurred out-of-pocket losses are being reimbursed now, those who incur out-of-pocket losses in the future are not left without a monetary remedy. Class members will have an opportunity to be reimbursed for out-of-pocket losses relating to future identity theft during the extended claims period. Moreover, there is no conflict because of the nature of the harm caused by the breach. Those who have already suffered losses stand just as likely to suffer future losses as those who have not suffered any losses to date and thus all class members have an incentive to protect against future harm. *See Target*, 892 F.3d at 976 (future injury "is just as likely to happen to a member of the subclass with documented losses").

Accordingly, the interests of the proposed subclasses here "are more congruent than disparate, and there is no fundamental conflict requiring separate representation." *Target*, 892 F.3d at 976; *see also Anthem*, 327 F.R.D. at 309-10. The settlement benefits all class members equally by compensating both current and future losses as well as protecting against and providing assistance in dealing with any future losses or misuse of their information. The Court therefore rejects Shiyang Huang's objection to class certification.

Objectors Frank and Watkins insist that the adequacy of representation requirement can only be satisfied with subclasses, with separate counsel, to account

for differences in the damages potentially available under different state consumer statutes. The Court is not persuaded, as this case seems well-suited to resolution via a nationwide class settlement. Frank and Watkins have not demonstrated how separate representation for state-specific subclasses would benefit anyone, let alone the class as a whole, or that the state statutes as a practical matter provide any class members with a substantial remedy under the facts presented. To the contrary, the Court finds that it is unlikely that any individual class members would have benefitted in any material way from state statutory remedies under the circumstances of this case or from separate representation for the purpose of advocating the alleged value of those remedies.

To begin with, the court in *Target* rejected this specific objection explaining:<sup>28</sup>

The availability of potential statutory damages for members of the class from California, Rhode Island, and the District of Columbia does not, by itself, mean that the interests of these class members are antagonistic to the interests of class members from other jurisdictions. Class actions nearly always involve class members with non-identical damages. . . .

[Objector's] argument in this regard ignores the substantial barriers to any individual class member actually recovering statutory damages. Class members from these three jurisdictions willingly gave up their uncertain potential recovery of statutory damages for the certain and complete recovery, whether monetary or equitable, the class settlement offered. Contrary to [Objector's] belief, this demonstrates

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<sup>28</sup> Frank, the objector here, is a lawyer who represented the unsuccessful objector in *Target*. His co-counsel in *Target*, Melissa Holyoak, represents Frank and Watkins (her brother) in this case. While their roles may be different, Frank and Holyoak are making the same argument that failed in *Target*.

the cohesiveness of the class and the excellent result named Plaintiffs and class counsel negotiated, not any intraclass conflict.

2017 WL 2178306, at \*6. Similarly, the trial court in *Anthem* found that, as in this case, “there is no structural conflict of interest based on variations in state law, for the named representatives include individuals from each state, and the differences in state remedies are not sufficiently substantial so as to warrant the creation of subclasses.” *Anthem*, 327 F.R.D. at 310 (quoting *Hanlon v. Chrysler Corp.*, 150 F.3d 1011, 1021 (9th Cir. 1998)); cf. *Columbus Drywall*, 258 F.R.D. at 555 (“The fact that the named plaintiffs may have suffered greater damages does not indicate that named plaintiffs possess interests antagonistic to other plaintiffs.”).<sup>29</sup>

Those cases are more analogous here than the authority objectors cite. In *W. Morgan-E. Lawrence Water & Sewer Auth. v. 3M Co.*, 737 F. App’x 457 (11th Cir. 2018), consumers of allegedly contaminated water *and* the water authority that supplied the water were lumped into the same settlement class in an action against

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<sup>29</sup> See also *Hanlon*, 150 F.3d at 1022 (“although some class members may possess slightly differing remedies based on state statute or common law, the actions asserted by the class representatives are not sufficiently anomalous to deny class certification. On the contrary, to the extent distinct remedies exist, they are local variants of a generally homogenous collection of causes which include products liability, breaches of express and implied warranties, and ‘lemon laws.’”); *Dickens v. GC Servs. Ltd. P’ship*, 706 F. App’x 529, 536 (11th Cir. 2017) (class representative may be adequate even where seeking only statutory damages when other class members also suffered actual damages; at most this is a “minor conflict” under *Valley Drug*); *Navelski v. Int’l Paper Co.*, 244 F. Supp. 3d 1275, 1307 (N.D. Fla.), *reconsideration denied*, 261 F. Supp. 3d 1212 (N.D. Fla. 2017) (“The class members’ damages will differ in degree, perhaps, but not in nature.”).

the alleged polluters, even though many class members had actually filed injury claims *against* the water authority. *Id.* at 464. Because the water authority had an interest in maximizing the injunctive relief obtained from the alleged polluters while *minimizing* the value of (if not undermining entirely) consumers' claims for compensatory damages, a fundamental intra-class conflict plainly existed, precluding dual representation of consumers and the water authority. *Id.* No such fundamental conflict exists here.

Frank and Watkins also rely on the Second Circuit's opinion in *In re Literary Works in Elec. Databases Copyright Litig.*, 654 F.3d 242 (2d Cir. 2011). They claim the case is "directly on point," but it is not. [Doc. 876 at 7]. *Literary Works* was a copyright case in which the proposed settlement divided the class into three claimant groups, called Categories A, B, and C. Unlike here, no single transaction or claim united the Category A, B, and C plaintiffs. The settlement capped the defendants' total liability and provided that, if the claims exceeded that cap, the Category C claims would be reduced *pro rata*. *Id.* at 246. In other words, the settlement protected the Category A and B claims at the sole expense of the Category C claims and could have resulted in Category C claimants receiving nothing. So, unlike here, the *Literary Works* settlement "sold out" one category of claims. *See id.* at 252.

The three claims categories in *Literary Works* were different in kind given the statutory scheme under which they arose. Category A claimants (whose claims were



uniquely valuable under federal copyright law because they were registered in time to be eligible for statutory penalties) had stronger claims than Category C claimants (who had never registered their copyrights and thus were not eligible to claim even actual damages). But, according to the court, that did not mean Category A claimants could take all the settlement's benefits, at least not without independent representation for the Category C claimants. In contrast, the proposed settlement in this case provides all class members with benefits and, unlike in the proposed settlement in *Literary Works*, is “carefully calibrated” to do so. *Anthem*, 327 F.R.D. at 310-11.<sup>30</sup>

Further, unlike in *Literary Works*, the entire class in this case brings the same common law claim for negligence stemming from the same event and arising under one state's law. This shared claim—involving the uniform applicability of Georgia law to a single set of facts—binds the interests of all class members, no matter where

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<sup>30</sup> For the same reason, the Court overrules the Frank and Watkins objection that the settlement treats class members inequitably. The Court finds that due to the calibration of benefits, the settlement satisfies Rule 23(e)(2)(D). Further, the Court does not agree that Frank and Watkins's approach would lead to a more equitable result and finds instead that it could disadvantage the entire class. Due to the large number of class members, at best, the approach might allow residents of a handful of states to receive potentially larger (but still quite small) statutory damages. But predicting such a result is mere speculation, particularly because the two objectors have not demonstrated that the statutory claims to which they point are even viable. More likely, their approach would lead to no settlement (and possibly no recovery at all).



they reside, and overcomes any theoretical differences that arise from potential state statutory remedies. That is particularly true in this case because there is substantial doubt as to whether the plaintiffs can satisfy conditions the state statutes require to prove liability on an individual or class wide basis, (Utah’s statute for example, requires each plaintiff to establish a “loss” and may not even be available in a class action),<sup>31</sup> and the complaint seeks nominal damages under Georgia law on behalf of all class members, which could yield more than the statutory damages for which Frank and Watkins argue. *See, e.g., Wright v. Wilcox*, 262 Ga. App. 659, 662 (2003) (noting that damages are not “restricted to a very small amount”). Thus, Frank and Watkins’s claim that no one “press[ed] their most compelling case” is without merit. [Doc. 876, at 11].

So too is the objectors’ implication that their recovery is inadequate in relation to a possible award at trial. The Court has already noted that the settlement is at the high end of the range of likely recoveries and that many of the specific benefits of the settlement likely would not be attainable at trial, such as the fact that all class members are eligible for credit monitoring. Over a four-year period, the retail value of the credit monitoring approximates or exceeds the purported value of Frank and Watkins’s statutory damages claims. Accordingly, Frank and Watkins likely are

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<sup>31</sup> *See* U.C.A. § 13-11-19 (“A consumer who suffers loss as a result of a violation of this chapter may recover, *but not in a class action*, actual damages or \$2,000, whichever is greater, plus court costs.”) (emphasis added).

economically better off under the settlement than they would be even in the unlikely event that their state statutory claims were successfully litigated through trial. In short, the reality is that any conflicts between class members based upon their states of residence are doubtful and speculative, and even if any such conflicts exist, they are minimal.

Finally, Frank and Watkins do not identify any authority holding that a class settlement cannot release individual claims arising from the same transaction or occurrence that are not held by all class members. That happens all the time, in all manner of class judgments, and the Court has considered and found equitable under Rule 23(e) the scope of the release here. Under Frank and Watkins's theory, every multi-state class action settlement involving state law claims would risk invalidity without subclasses (with separate representatives and counsel) for each state. Many class settlements that have been approved and upheld on appeal would be invalid as a matter of law under such a rule, including *NFL Concussion*,<sup>32</sup> *Chrysler-Dodge-Jeep Ecodiesel*,<sup>33</sup> and *Volkswagen "Clean Diesel"*.<sup>34</sup>

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<sup>32</sup> *In re Nat'l Football League Players Concussion Injury Litig.*, 307 F.R.D. 351 (E.D. Pa. 2015), *aff'd*, 821 F.3d 410 (3d Cir. 2016).

<sup>33</sup> *In re Chrysler-Dodge-Jeep Ecodiesel Mktg., Sales Practices, & Prods. Liab. Litig.*, 2019 WL 2554232 (N.D. Cal. May 3, 2019).

<sup>34</sup> *In re: Volkswagen "Clean Diesel" Mktg., Sales Practices, & Prods. Liab. Litig.*, No. MDL 2672 CRB (JSC), 2016 WL 6248426 (N.D. Cal. Oct. 25, 2016), *aff'd*, 895 F.3d 597 (9th Cir. 2018), and *aff'd*, 741 F. App'x 367 (9th Cir. 2018) (2.0-liter settlement); *In re Volkswagen "Clean Diesel" Mktg., Sales Practices, & Prods.*

The facts asserted by the objectors thus do not establish a conflict. And even if the objectors had identified a non-speculative conflict, which they have not, the conflict is minor and does not go to the heart of the claims asserted in the litigation. Moreover, the involvement of a cross-section of class representatives across all states, use of a respected and experienced mediator, and extensive input from state and federal regulators all safeguarded the process leading to the settlement. Indeed, the Attorneys General of both jurisdictions in which Frank and Watkins reside—Utah and the District of Columbia—incorporated this settlement as the mechanism for providing relief to their citizens in their own settlements with Equifax.

For all these reasons, the objections related to other consumer protection statutes do not present a problem with adequacy. In that regard, the Court also finds it relevant that Rule 23(e) was recently amended to require consideration of how settlement benefits are apportioned among class members as part of the fairness, reasonableness, and adequacy requirement. That, in and of itself, suggests that the adequacy requirement does not require that every class member share identical and overlapping claims. The Court has found here that the benefits are being equitably apportioned, and that the class is adequately represented without fundamental conflicts. There is therefore no basis to deny class certification under Rule 23(a)(4).

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*Liab. Litig.*, No. MDL 2672 CRB (JSC), [2017 WL 2212783](#) (N.D. Cal. May 17, 2017) (3.0-liter settlement).

Another objector claims that class members who have an existing credit monitoring service are treated inequitably. [Doc. 880 at 11]. But claimants who purchased credit monitoring on or after September 7, 2017, in response to the breach may make a claim for full reimbursement of the costs, up through the date they submit a claim. [Doc. 739-2, ¶¶ 2.37, 6.2.4, 8.3.2]. These class members also have the opportunity to cancel their existing credit monitoring service and sign up for the (likely superior) comprehensive credit monitoring offered under the settlement, obtaining the same benefits available to every other class member. Or, they are eligible for alternative cash compensation, albeit smaller than the maximum \$125, and remain eligible for all of the other settlement benefits. Accordingly, the Court finds that those class members with existing credit monitoring are treated equitably under the settlement.

**D. Objections Relating To The Process For Objecting.**

The Court finds that the process for objecting is reasonable. Some objectors argue that the procedure for objecting is overly burdensome, asserting that objectors should not be required to show they are members of the settlement class, or provide their personal contact information, signature, or dates for a potential deposition. This argument is at odds with the number of objections received, and few objectors had difficulty meeting these criteria. Nevertheless, the requirements imposed on objectors are consistent with Rule 23, are common features of class action

settlements,<sup>35</sup> and were informed by the Court's previous experience dealing with objectors in connection with the *Home Depot* data breach settlement.

Some objectors protest the possibility of being subjected to a deposition, but objectors who voluntarily appear in an action place their standing and basis for objecting at issue for discovery. *See In re Cathode Ray Tube (CRT) Antitrust Litig.*, 281 F.R.D. 531, 533 (N.D. Cal. 2012) (holding that when an objector voluntarily appears in litigation by objecting to a class settlement, he or she is properly subject to discovery). Courts in this Circuit have found it advisable to discover the objector's knowledge of the settlement terms, to ferret out frivolous objections, and to expose objections that are lawyer-driven and filed with ulterior motives.<sup>36</sup> Moreover, Rule

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<sup>35</sup> *See Champs Sports Bar & Grill Co. v. Mercury Payment Sys., LLC*, 275 F. Supp. 3d 1350, 1353 (N.D. Ga. 2017) (striking objection for failing to comply with similar criteria); *Home Depot*, Doc. 185 at ¶ 12 (N.D. Ga. March 8, 2016) (requiring objectors to provide personal contact information and signature); *Jones v. United Healthcare Servs., Inc.*, 2016 WL 8738256, at \*4 (S.D. Fla. Sept. 22, 2016); *Chimeno-Buzzi v. Hollister Co.*, 2015 WL 9269266, at \*5 (S.D. Fla. Dec. 18, 2015) (same); *see also In re Premera Blue Cross Customer Data Sec. Breach Litig.*, 2019 WL 3410382, at \*27 (D. Or. July 29, 2019) (requiring objectors to provide personal contact information and provide signed statement that he or she is member of settlement class); *In re Anthem, Inc. Data Breach Litig.*, 2017 WL 3730912, at \*3 (N.D. Cal. Aug. 25, 2017) (requiring written objection to contain personal contact information and signature).

<sup>36</sup> *See Montoya v. PNC Bank, N.A.*, 2016 WL 1529902, at \*19 (S.D. Fla. April 13, 2016); *see also Champs Sports*, 275 F. Supp. 3d at 1359 (overruling the objection in a case where the objector was deposed, admitted he had no evidence or knowledge supporting objection, and could not explain how the settlement was inadequate); *Morgan v. Pub. Storage*, 301 F. Supp. 3d 1237, 1259 (S.D. Fla. 2016) ("An objector's knowledge of the objection matters in crediting (or not) the objection and

23 has recently been amended to address these sorts of concerns. *See generally* Fed. R. Civ. P. 23(e)(5).<sup>37</sup> The objection requirements serve to further appropriate lines of inquiry, and are not meant to discourage objections. “Such depositions not only serve to inform the Court as to the true grounds and motivation for the objection, but they also help develop a full record should the objector file an appeal.” *Montoya*, 2016 WL 1529902, at \*19.

Finally, the personal signature requirement is not burdensome, and is of particular importance in this case, to ensure that the objection is made in the objector’s personal capacity, and not at the behest of others. And, the personal signature requirement decreases the likelihood that services encouraging mass objections or opt-outs file unauthorized or fictitious objections. These objections are overruled.

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determining the objector’s motives.”); *cf. Greco v. Ginn Dev. Co.*, 635 F. App’x 628, 633 (11<sup>th</sup> Cir. 2015) (district court may properly consider whether those voicing opposition to settlement have ulterior motives).

<sup>37</sup> The accompanying 2018 Advisory Committee Notes explain that the Rule has been amended because “some objectors may be seeking only personal gain, and using objections to obtain benefits for themselves rather than assisting in the settlement-review process. At least in some instances, it seems that objectors—or their counsel—have sought to obtain consideration for withdrawing their objections or dismissing appeals from judgments approving class settlements.”

### **E. Objections Relating To How To Opt Out.**

The Court overrules all objections related to the procedures for how to opt out. The exclusion procedure is simple, affords class members a reasonable time in which to exercise their option, and is conventional.<sup>38</sup> The individual signature requirement on opt-out requests is not burdensome at all. Moreover, it ensures that each individual has carefully considered his options and understands that he is giving up his right to relief under the settlement. While technology provides an avenue for filing claim forms more easily, it also makes it easier for third parties and their counsel to file unauthorized “mass opt-outs,” which are sometimes “highly indicative of a conclusion that such counsel did not spend much time evaluating the merits of whether or not to opt-out in light of the individual circumstances of each of their clients and in consultation with them.”<sup>39</sup> The Court’s Order Directing Notice clearly did not present insurmountable hurdles to opting out of the settlement class.

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<sup>38</sup> See, e.g., *Harrison v. Consol. Gov’t. of Columbus, Georgia*, [2017 WL 6210318](#), at \*2 (M.D. Ga. April 26, 2017) (requiring exclusion form to be mailed via regular mail); *Flaum v. Doctor’s Assoc., Inc.*, [2017 WL 3635118](#), at \*3 (S.D. Fla. March 23, 2017) (same); *Home Depot*, [Doc. 185 at ¶ 11](#) (N.D. Ga. March 8, 2016) (same); *Jones*, [2016 WL 8738256](#), at \*3 (same); Manual for Complex Litigation (Fourth) § 21.321 (2004) (hereinafter, “*Manual*”) (“Typically, opt-out forms are filed with the clerk, although in large class actions the court can arrange for a special mailing address and designate an administrator retained by counsel and accountable to the court to assume responsibility for receiving, time-stamping, tabulating, and entering into a database the information from responses.”).

<sup>39</sup> *In re Oil Spill by Oil Rig Deepwater Horizon*, [910 F. Supp. 2d at 939](#). Here, where the technology allowing class members to object or opt out is coupled with



Several class members object that there should be a renewed opportunity to opt out of the settlement after the final approval hearing. But class members already had at least 60 days from the notice date [[Doc. 742 at 15](#)] and 120 days after the order directing notice to evaluate the settlement and request exclusion. The length of the opt-out period provided class members a reasonable opportunity to exclude themselves.<sup>40</sup> And, because the Court is approving the settlement without any changes, the final approval hearing did not create any new grounds for a class member to opt out.

**F. Objections To The Notice Plan.**

Objections to the notice plan include that: (1) the content of the notice is inadequate; (2) the supplemental e-mail notice to early claimants was inadequate or improper; (3) the notice plan is too reliant on email and social media; (4) the notice plan is inadequate for those without computers or access to news; and (5) the notice plan is unclear as to the amount of fees requested. The Court rejects and overrules each of these objections. The parties implemented the Court-approved notice plan that was developed in conjunction with federal and state regulators, which

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misinformation about what the settlement actually provides, the dangers of accepting mass, unsigned objections or opt-out requests are even more acute.

<sup>40</sup> “Courts have consistently held that 30 to 60 days between the mailing (or other dissemination) of class notice and the last date to object or opt out, coupled with a few more weeks between the close of objections and the settlement hearing, affords class members an adequate opportunity to evaluate and, if desired, take action concerning a proposed settlement.” *Greco*, [635 F. App’x at 634](#).



constitutes the best notice practicable under the circumstances, and provides class members with information reasonably necessary to evaluate their options. *See Fed. R. Civ. P. 23(e)(1)(B)*; *see also Greco*, 635 F. App'x at 633.

The notice plan here clearly and concisely explains the nature of the action and the rights of class members, thereby satisfying the requirements of Rule 23 and due process. The short form notice, developed with both federal and state regulators, and approved by this Court, sets forth a clear and concise summary of the case and the proposed settlement and, in large, bold typeface, directs class members to visit the settlement website<sup>41</sup> or call the toll-free phone number for more information. *See In re Checking Account Overdraft Litig.*, 830 F. Supp. 2d 1330, 1342-44 (S.D. Fla. 2011) (approving notice where information was referenced in short form notice and more information was readily available in full on settlement website). And the long form notice on the settlement website contains a comprehensive explanation of the

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<sup>41</sup> The long-form notice and the “Frequently Asked Questions” (“FAQ”) page of the settlement website contain a section entitled “Legal Rights Resolved Through The Settlement” and provide an answer to the question: “What am I giving up to stay in the settlement class?” The answer clearly provides that, by staying in the settlement class, class members are releasing their “legal claims relating to the Data Breach against Equifax when the settlement becomes final.” *See Doc. 739-2 at 269 & Settlement Website FAQ 20*. Additionally, these notice materials contain a section titled “The Lawyers Representing You” and provide an answer to the question: “How will these lawyers be paid?” The answer clearly states that class counsel are seeking attorneys’ fees of up to \$77,500,000 and reimbursement for costs and expenses up to \$3,000,000 to be paid from the Consumer Restitution Fund. *See Doc. 739-2 at 270-71 & Settlement Website FAQ 22*.

settlement and related matters. While the long form notice does not contain every fact or piece of information a class member might find to be material, that is legally unnecessary, potentially confusing, and off-putting to class members.<sup>42</sup>

Some objectors complain the notice plan failed to adequately explain that the alternative compensation benefit could be reduced depending on how many valid claims were submitted. But, as discussed above, the misconception that each class member would automatically receive alternative reimbursement compensation of \$125 arose not from the notice plan (nor could it, since direct email notice to the class had not yet been sent when the misconception arose), but from misleading media coverage that began even before the proposed settlement was presented to the Court. *See App. 1, ¶¶ 27-37*. Further, as discussed above, the notice plan, particularly when coupled with the additional steps the Court approved on July 30, 2019, ensured that class members had adequate information about the alternative compensation benefit—including information that alternative compensation claimants likely would receive a “small percentage” of \$125—before making a choice between that benefit and credit monitoring.<sup>43</sup> And, for those who made the choice before the

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<sup>42</sup> *See Faught*, 668 F.3d at 1239 (an overly-detailed notice has the potential to confuse class members and impermissibly encumber their right to benefit from the action).

<sup>43</sup> Some objectors also erroneously assert that the Court approved a change to the claims form (requiring alternative claimants to provide the name of their existing credit monitoring service) to deter class members from claiming \$125. This

enhancements to the settlement website were implemented, they were sent an email giving them an opportunity to change their minds and amend their claim.<sup>44</sup>

Some objectors argue that the notice plan was too reliant upon newer technologies to deliver notice of the settlement to the class. But courts have increasingly approved utilizing email to notify class members of proposed class settlements, and such notice was appropriate in this case. *See, e.g., Home Depot*, [2016 WL 6902351](#), at \*5 (holding notice reaching 75 percent of class through email and internet advertising satisfied Rule 23 and due process); *Morgan*, [301 F. Supp. 3d at 1262](#) (“Courts consistently approve notice programs where notice is provided primarily through email because email is an inexpensive and appropriate means of delivering notice to class members.”). The ultimate focus is on whether the notice methods reach a high percentage of the class. *See* Federal Judicial Center, “*Judge’s Class Action Notice and Claims Process Checklist and Plain Language*

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requirement was a component of the settlement from the outset. Changing the form helped ensure that only those eligible for alternative compensation would file a claim and saved the claims administrator from the necessity of having to go back to claimants and ask for that information in the claims vetting process from the millions of people who were filing claims.

<sup>44</sup> Other objectors argue that all early claimants should have been notified by notarized letter, rather than email. But each claimant provided his email address as part of the claims filing process, and was informed that subsequent correspondence would be received via email. *See* App. 4, ¶¶ 60-62. Moreover, the objectors present no evidence that a substantial number of class members did not receive the supplemental email notice. *See Nelson*, [484 F. App’x at 434-35](#) (affirming district court’s decision overruling conclusory objections).

*Guide*” (2010) (available at [www.fjc.gov](http://www.fjc.gov)); R. Klonoff, *Class Actions in the Year 2026: A Prognosis*, 65 Emory L.J. 1569, 1650 & n. 479 (2016) (“Courts have increasingly utilized social media . . . to notify class members of certification, settlement, or other developments.”).

The Court-approved notice plan, which as noted above was designed by experienced counsel for the parties, JND (an expert in providing class action notice), Signal (an expert in mass media and data analytics), and experts on consumer communications at the Federal Trade Commission and the Consumer Financial Protection Bureau, effectively reached and engaged the class. *See Carter v. Forjas Taurus S.A.*, [2016 WL 3982489](#), at \*5 (S.D. Fla. Jul. 22, 2016) (notice plan that “used peer-accepted national research methods to identify the optimal traditional, online, mobile and social media platforms to reach the Settlement Class Members” was sufficient). Direct email notice was sent to the more than 104 million class members whose email addresses could be found with reasonable effort. The digital aspects of the notice plan, alone, reached 90 percent or more of the class an average of eight times. App. 5, ¶¶ 22-24. *See* Federal Judicial Center, “Judges’ Class Action Notice and Claims Process Checklist and Plain Language Guide” (2010)<sup>45</sup> (recognizing the effectiveness of notice that reaches between 70 and 95 percent of the class). And, the unprecedented claims rate in a case of this magnitude not only

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<sup>45</sup> Available at <https://www.fjc.gov/sites/default/files/2012/NotCheck.pdf>.

further demonstrates that the notice plan's use of email and social media satisfied minimum standards, but also has been more effective than other notice methods.

The Court also overrules objections that the notice program is inadequate for those without ready access to computers or the internet. The Constitution does not require that each individual member receive actual notice of a proposed settlement. *See Juris v. Inamed Corp.*, 685 F.3d 1294, 1318 (11<sup>th</sup> Cir. 2012). Publication and media notice are appropriate where direct notice is not reasonable or practicable, such as when a class consists of millions of residents from different states. *See Edwards v. Nat'l Milk Producers Fed'n*, 2017 WL 3623734, at \* 4 (N.D. Cal. June 26, 2017) ("In view of the millions of members of the class, notice to class members by individual postal mail, email or radio or television advertisements, is neither necessary nor appropriate.") (quoting *In re MetLife Demutualization Litig.*, 262 F.R.D. 205, 208 (E.D.N.Y. 2009)). It was particularly appropriate here, where so much effort was spent in quantitative and qualitative research (including the use of focus groups and a public opinion survey) to specifically identify and target those who lack ready access to the internet and to design a national radio advertising campaign to reach them.<sup>46</sup>

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<sup>46</sup> *See, e.g., Kumar v. Salov N. Am. Corp.*, 2017 WL 2902898, at \*3 (N.D. Cal. July 7, 2017) (approving of notice campaign consisting of media notice, publication notice, and advertisements on various websites); *In re Nat'l Collegiate Athletic Ass'n Student-Athlete Concussion Injury Litig.*, 314 F.R.D. 580, 602-03 (N.D. Ill. 2016)

In the Court's estimation, it would have been extremely wasteful to spend a significant portion of the settlement fund sending direct mail notice to 147 million class members across the United States and its territories or even to a substantial subset of the class. That would have needlessly reduced the money available to pay for the benefits to the class. The plan developed by the parties, notice experts, and federal and state regulators, and approved by the Court, was sufficient, particularly in light of the pervasive media coverage and the efforts of state and federal regulators to inform consumers about the potential relief available to the class under the settlement. Indeed, few, if any, other class actions of which the Court is aware have received the widespread public attention that the settlement in this case has received or, as noted above, triggered such a substantial number of claims.

Some objectors argue that the notice plan does not identify the exact amount of fees sought by class counsel and thus precisely how much money will be left in the settlement fund after the fees have been paid. But because this Court has broad

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(approving indirect notice for class members who could not be given direct notice including print publication, settlement class website, press release, and social media); *In re Optical Disk Drive Prods. Antitrust Litig.*, [2016 WL 7364803](#), at \*3 (N.D. Cal. Dec. 19, 2016) (approving notice consisting of email, settlement website, toll-free number, publication notice, press release, text link advertising, banner advertising, and advertising on Facebook and Twitter); *Manual* § 21.312 (“Posting notices and other information, on the Internet, publishing short, attention-getting notices in newspapers and magazines, and issuing public service announcements may be viable substitutes for . . . individual notice if that is not reasonably practicable.”).

discretion over the amount of fees to be awarded, *see Piambino v. Bailey*, 757 F.2d 1112, 1139-42 (11th Cir. 1985); *In re Sunbeam Sec. Litig.*, 176 F. Supp. 2d 1323, 1329 (S.D. Fla. 2001), the class notice could not with certainty disclose the amount of fees that would ultimately be awarded or the amount that would remain in the fund after those fees are paid. Identifying a maximum amount of fees to be requested is sufficient, and that is what happened here. *See Doc. 739-2 at 270* & Settlement Website FAQ 22; *see also Carter*, 2016 WL 3982489, at \*7 (approving notice where it informed class members that class counsel would be seeking “up to \$9 million in fees”). Moreover, class counsel’s motion for fees was posted on the settlement website when it was filed on October 29, 2019, giving class members the ability to learn exactly what class counsel requested well before the deadline to opt out or object.

#### **G. Objections To The Claims Procedures.**

The Court overrules the objections regarding claims procedures, specifically those objections stating that: (1) the procedure for claiming the alternative reimbursement compensation is confusing and unfair; (2) the requirement that time spent and actual out-of-pocket losses be “fairly traceable” to the data breach will disallow valid claims; (3) the call center was unhelpful and inadequately staffed early in the claims period; and (4) the claims procedure presents “too many hoops to jump through” to submit a claim.



Some objectors argue that the claims process improperly “channels” class members toward electing credit monitoring as the only form of relief because too many class members have elected alternative compensation. Perhaps because of the inaccurate public reporting suggesting that only \$31 million is available to pay claims, these objectors misunderstand the settlement. Credit monitoring or alternative reimbursement compensation is not the only available relief. Further, class members are not told the form of relief that they must choose, but are given adequate and appropriate information so they can make up their own minds. That class members were told alternative compensation claimants likely would receive a small percentage of \$125 is accurate. To keep that information from class members would not have been appropriate.

Some objectors argue that they did not receive the supplemental email providing enhanced information about the alternative compensation benefit, but that is no reason to upend the settlement—especially where those class members will have an opportunity to address any claims deficiencies as part of the agreed-upon claims review process.<sup>47</sup> *See, e.g., Home Depot*, [2016 WL 6902351](#), at \*5 (rejecting objections from class members who claimed they did not receive subsequent email

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<sup>47</sup> According to class counsel and the claims administrator, any claimants who did not respond to the supplemental email notice or otherwise take action will be routed through the regular deficiency process for claims validation, which provides them an opportunity to address any deficiencies with their claims. *See* Settlement Agreement § 8.5.



notice). Further, this information was on the settlement website, which was available to all class members.

Other objectors argue that requiring class members to provide the name of their current credit monitoring provider to claim alternative compensation is unfair. But the settlement agreement clearly and unambiguously requires class members claiming that benefit to “identify the monitoring service” that they have in place to ensure they are eligible for that benefit. *See* Settlement Agreement § 7.5. And, there is nothing unfair about requiring a claimant to meet the eligibility requirements for a particular benefit. *See Manual* § 21.66 (“Class members must usually file claims forms providing details about their claims and other information needed to administer the settlement.”).

Other objectors argue that the settlement’s “fairly traceable” requirement for reimbursement of out-of-pocket losses and time spent on the data breach will work to disallow valid claims. But to pursue a claim in court, a plaintiff must demonstrate that his or her injuries are “fairly traceable” to the challenged conduct of the defendant. *See Lujan v. Defenders of Wildlife*, 504 U.S. 555, 561 (1992). Settlement is no different; thus courts in other data breach cases have upheld similar requirements. *See, e.g., Premera*, 2019 WL 3410382, at \*22 (providing reimbursement for “proven out-of-pocket damages that can plausibly be traced to the Data Breach”); *Home Depot*, 2016 WL 6902351, at \*4 (requiring “Documented

Claims” to claim monetary relief).

Some objectors argue that the call center was unhelpful early in the claims period. But the settlement provides reasonable procedures and allocates sufficient funds to ensure that the call center was adequately staffed (indeed, more than one hundred operators were on call at times early in the claims period) and the staff is trained to help class members with questions relating to the proposed settlement. *See* App. 4, ¶¶ 37-41. Beyond that, class counsel were available to respond to class member inquiries and routinely responded to class member emails and phone calls. *See* App. 1, ¶ 69. While frustration with a call center is familiar to most people who exist in the modern world, the Court sees no indication of a pervasive problem here that in any way affects the fairness of the settlement or the claims procedure. That so few class members made this objection despite the massive number of calls that the call center has handled is further testament that any problems were not material.

Several objectors also claim that there are “too many hoops to jump through” in order to submit a claim. But completion and documentation of the claim form are no more burdensome than necessary and similar claims procedures are routinely required in other settlements. *See, e.g., Jackson’s Rocky Ridge Pharmacy, Inc. v. Argus Health Sys., Inc.*, [2007 WL 9711416](#), at \*2 (N.D. Ala. June 14, 2007) (“[E]ach class member who seeks damages from the settlement fund must file and substantiate its claim. This requirement is no more onerous than that to which each of the class

members would have been subjected had they filed a separate lawsuit against the defendant and prevailed on the substantive claim.”); *Manual* § 21.66 (“Class members must usually file claims forms providing details about their claims and other information needed to administer the settlement. . . . Verification of claims forms by oath or affirmation . . . may be required, and it may be appropriate to require substantiation of the claims. . . .”). The robust number of claims is further evidence that the process was not unduly burdensome.

Some objectors are dissatisfied with the claims period and argue that it is too short to provide relief for potential future harms. The Court concludes that the length of the claims period is reasonable and comparable to, if not longer than, claims periods in other data breach cases. *See, e.g., Home Depot*, [2016 WL 6902351](#) (approving settlement with initial claims period of 150 days); *Premiera*, [2019 WL 3410382](#), at \*26 (ordering initial claims period of 150 days); *Anthem*, [327 F.R.D. at 325](#) (overruling objections that a one-year claims period was too short because there is a risk of proving harm that has not yet occurred at trial and because settlement provided protections against future identity fraud). The proposed settlement provides class members with six months to claim benefits for losses already sustained and does not require claims to be filed to access identity restoration services. If money remains in the fund after the initial claims period, class members can file claims in the extended claims period, which provides an additional four years to recover for

losses that have not yet occurred. Beyond that, credit monitoring and identity restoration services will allow class members to monitor and help safeguard their information for several more years. The Court views these periods as entirely fair and reasonable and calculated to equitably deliver relief to members of the settlement class.

#### **IV. PLAINTIFFS' MOTION FOR ATTORNEYS' FEES, EXPENSES, AND SERVICE AWARDS TO THE CLASS REPRESENTATIVES.**

Plaintiffs request that the Court award a \$77.5 million fee as provided in the settlement agreement. The Court finds that the requested fee is reasonable under the percentage approach, which is the exclusive method in this Circuit for calculating fees in a common fund case such as this one. A lodestar crosscheck, though not required, also supports the requested fee.

##### **A. The Requested Fee Is Reasonable Under The Percentage Method.**

The controlling authority in the Eleventh Circuit is *Camden I Condominium Association, Inc. v. Dunkle*, [946 F.2d 768, 774-75](#) (11th Cir. 1991), which holds that fees in common fund cases must be calculated using the percentage approach. *Camden I* does not require any particular percentage. *See id.* (“There is no hard and fast rule ... because the amount of any fee must be determined upon the facts of each case.”); *see also, e.g., Waters v. Int’l. Precious Metals Corp.*, [190 F.3d 1291, 1294](#) (1999). Typically, awards range from 20% to 30%, and 25% is considered the “benchmark” percentage. *Camden I*, [946 F.2d at 775](#). The Eleventh Circuit has

instructed that, to determine the appropriate percentage to apply in a particular case, a district court should analyze the *Johnson* factors derived from *Johnson v. Ga. Highway Express, Inc.*, [488 F.2d 714, 717-19](#) (5th Cir. 1974), as well any other pertinent considerations. *Camden I*, [946 F.2d at 775](#).

The \$77.5 million requested fee is 20.36% of the \$380.5 million *minimum* settlement fund. Under the controlling authority cited above, the requested fee is reasonable as a percentage of the non-reversionary fund alone. However, the minimum amount of the settlement fund is not the true measure of all the benefits, monetary and non-monetary, available to the class under the settlement. The class benefit also includes: (1) an additional \$125 million that Equifax will pay if needed to satisfy claims for out-of-pocket losses; (2) the consent order requiring Equifax to pay at least \$1 billion for cybersecurity and related technology and comply with comprehensive standards to mitigate the risk of another data breach involving class members' personal data; (3) the value of the opportunity to receive ten years of free credit monitoring for all class members (which would cost each class member \$1,920 to buy at its retail price); (4) the value of seven years of identity restoration services available to all class members; and (5) the value of a ban on the use by Equifax of arbitration clauses in some circumstances.<sup>48</sup> In assessing a fee request,

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<sup>48</sup> In addition to these benefits provided under the settlement, certain settlement class members also benefited from an additional year of credit monitoring services, known

the Court may also consider all of these benefits. *See, e.g., Camden*, 946 F.2d at 775; *Poertner v. Gillette Co.*, 618 F. App'x 624, 629 (11th Cir. 2015), *cert. denied sub nom. Frank v. Poertner*, 136 S. Ct. 1453 (2016) (district court did not abuse its discretion by “including the value of the nonmonetary relief ... as part of the settlement pie”).

When these other benefits are considered, the percentage of the class benefit the requested fee represents is much less than 20.36%.<sup>49</sup> For example, the requested fee is 15.3% of the \$380.5 million fund plus the additional \$125 million available to pay out-of-pocket claims. The requested fee is only 5% of those amounts plus the \$1 billion that Equifax is required to spend for cybersecurity and related technology and it is less than 1% when the retail value of the credit monitoring services already claimed by class members is included. These figures demonstrate that using 20.36% in the calculation of a percentage-based fee is conservative as it does not account for all of the settlement's benefits, but that percentage nonetheless will be the focus of the Court's analysis because if a 20.36% award is reasonable, as it is, then there can

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as IDnotify, provided to class members who previously enrolled in the TrustedID Premier services offered by Equifax following the data breach. *See Settlement Agreement* § 4.3.

<sup>49</sup> For the same reasons, even if the Court calculated the percentage of the fund based upon the size of the fund specified in the term sheet rather than the ultimate settlement (25% of \$310 million), that percentage would be reasonable, and the presence of all the other ingredients in the “settlement pie” drive the requested fee well below the benchmark.

be no question that a smaller percentage is also reasonable.

The percentage of the class benefit represented by the requested fee is supported by the factors that the Eleventh Circuit has directed be used in assessing the reasonableness of a fee request, including the *Johnson* factors. There are twelve *Johnson* factors:

(1) the time and labor required; (2) the novelty and difficulty of the relevant questions; (3) the skill required to properly carry out the legal services; (4) the preclusion of other employment by the attorney as a result of his acceptance of the case; (5) the customary fee; (6) whether the fee is fixed or contingent; (7) time limitations imposed by the clients or the circumstances; (8) the results obtained, including the amount recovered for the clients; (9) the experience, reputation, and ability of the attorneys; (10) the “undesirability” of the case; (11) the nature and the length of the professional relationship with the clients; and (12) fee awards in similar cases.

*George v. Academy Mortgage Corp. (UT)*, 369 F. Supp. 3d 1356, 1376 (N.D. Ga. 2019). Other relevant factors include the number of objections from class members, the risks undertaken by class counsel, and the economics of handling class actions. *Champs Sports*, 275 F. Supp. 3d at 1356; *Camden I*, 946 F.2d at 775. The Court does not analyze two of the *Johnson* factors, the undesirability of the case and the nature of the attorney-client relationship, due to their limited applicability here. The Court addresses the other factors below.

(1) *The Time and Labor Involved*

The Court has observed the intensive amount of time and labor required to prosecute the claims in this case. Class counsel and those under their direction have

spent over 33,000 hours prosecuting this action. The vast majority of the work was done by class counsel and other firms the Court appointed to the plaintiffs' steering committee. The work was allocated to those able to do the work most efficiently. Class counsel also estimate they will spend at least another 10,000 hours over the next seven years in connection with final approval, managing the claims process, and administering the settlement. The Court finds that the work that class counsel have done and estimate they will do is reasonable and justified in view of the issues, the complexity and importance of the case, the manner in which the case was defended, the quality and sophistication of Equifax's counsel, the result, the magnitude of the settlement and the number of claims. Moreover, the amount of work devoted to this case by class counsel likely was a principal reason that they were able to obtain such a favorable settlement at a relatively early stage. This factor weighs in favor of approval of the requested fee.

(2) *The Novelty and Difficulty of the Questions*

Although many of the plaintiffs' claims were able to survive a motion to dismiss, their path forward remained difficult. The law in data breach litigation remains uncertain and the applicable legal principles have continued to evolve, particularly in the State of Georgia, where protracted appellate litigation in two other data breach cases while this case has been pending demonstrate the unsettled state of the law. *See McConnell*, 828 S.E.2d at 352; *Collins v. Athens Orthopedic Clinic*,



815 S.E.2d 639 (Ga. Ct. App. 2018), *rev'd* \_\_\_ Ga. \_\_\_ (Dec. 23, 2019). As a result, this case involved many novel and difficult legal questions, such as the threshold issue of whether Equifax had a duty to protect plaintiffs' personal data, whether plaintiffs' alleged injuries are legally cognizable and were proximately caused by the Equifax breach, the applicability of the FCRA to a data breach at a major credit reporting agency, the meaning of various state consumer protection statutes, and other issues briefed by the parties in connection with Equifax's motion to dismiss. These would be recurring issues throughout the litigation if the settlement is not approved.

Other novel and difficult questions in this case resulted from the sheer size of the litigation, the number of Americans impacted by the breach, and the highly technical nature of the facts. Determining and proving the cause of the breach and developing cybersecurity measures to prevent a recurrence were particularly challenging. The plaintiffs' lawyers also confronted unusual circumstances and a dearth of legal guidance or governing precedent when they engaged in extensive negotiations with federal and state regulators after reaching a binding term sheet with Equifax. This factor strongly weighs in favor of the requested fee request.

(3) *The Skill Requisite to Perform the Legal Services Properly and the Experience, Reputation, and Ability of the Lawyers*

This case required the highest level of experience and skill. Plaintiffs' legal team includes lawyers from some of the most experienced and skilled class action

law firms in the country who have collectively handled more than 50 data breach cases, including all of the most significant ones. Their experience and skill was needed given the scope of the case and the quality of the opposition. The lawyers who represented Equifax are highly skilled and come from several of the nation's largest corporate defense firms. Moreover, Judge Phillips has noted that "the settlement is the direct result of all counsel's experience, reputation, and ability in complex class actions including the evolving field of privacy and data breach class actions." [[Doc. 739-9](#), ¶ 15]. The Court can also attest to the high level of zealous, diligent advocacy demonstrated throughout this case. These factors weigh in favor of the requested fee.

(4) *The Preclusion of Other Employment*

Given the demand for their services attributable to their high level of skill and expertise, but for the time and effort they spent on this case the plaintiffs' lawyers would have spent significant time on other matters. Further, by necessity given its nature, the bulk of the work was done by a relatively small number of senior lawyers, and demanded their full attention. As described above, their focus on this case likely served as the principal reason that the case was able to settle favorably, further weighing in support of the requested fee.

(5) *The Customary Fee*

The percentage used to calculate the requested fee is substantially below the

percentages that are typically charged by lawyers who handle complex civil litigation on a contingent fee basis, which customarily range from 33.3% to 40% of the recovery.

(6) *Whether the Fee is Fixed or Contingent*

“A contingency fee arrangement often justifies an increase in the award of attorneys’ fees.” *Behrens*, 118 F.R.D. at 548. A larger award is justified because if the case is lost a lawyer realizes no return for investing time and money in the case. *See In re Friedman’s, Inc. Sec. Litig.*, 2009 WL 1456698, at \*3 (N.D. Ga. May 22, 2009). As discussed above, the novel and difficult questions present in this case heightened this concern here. This action was prosecuted on a contingent basis and thus a larger fee is justified.

(7) *Time Limitations Imposed by the Client or the Circumstances*

Priority work done under significant time pressure is entitled to additional compensation and justifies a larger percentage of the recovery. *See, e.g., Johnson*, 488 F.2d at 718; *Allapattah Servs., Inc. v. Exxon Corp.*, 454 F. Supp. 2d 1185, 1215 (S.D. Fla. 2006). At various times during this litigation, class counsel were forced to work under significant time pressure, such as when they had to vet thousands of potential class representatives in a short period to meet the Court’s deadline for filing a consolidated amended complaint and during the several months they spent negotiating with Equifax and federal and state regulators leading up to finalizing the

settlement. During critical periods, class counsel spent as much as 2,000 hours a month or more. This factor thus supports an increased award.

(8) *The Amount Involved and the Results Obtained*

This is the largest data breach settlement in history. The \$380.5 million fund alone is more than the total recovered in all consumer data breach settlements in the last ten years.<sup>50</sup> Further, class members are eligible for an unprecedented package of benefits, including but not limited to cash compensation for out-of-pocket losses fairly traceable to the breach of up to \$20,000 per class member, reimbursement for time spent as a result of the breach, and 25% of the amount paid to Equifax by class members for identity protection services in the year prior to the breach; ten years of high quality credit monitoring services having a retail value of \$1,920 per class member; and seven years of identity restoration services without the need to file a claim.

In addition, Equifax has agreed to a consent order requiring it to comply with comprehensive cybersecurity standards, spend at least \$1 billion on data security and related technology, and have its compliance audited by independent experts. Violations of the consent order are subject to this Court's enforcement power. This

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<sup>50</sup> Contrary to the arguments of some objectors, the size of the settlement fund is not just a matter of scale. For instance, the settlement is larger on a per capita basis than the *Anthem* settlement, which resulted in a \$115 million fund for a class of 80 million individuals.

injunctive relief provides a substantial benefit to all class members, and exceeds what has been achieved in other data breach settlements.

Finally, as noted, class counsel negotiated an innovative notice program to effectively inform and engage class members, and a robust claims process to facilitate and increase class member participation. The notice program and claims process are both a direct benefit to the class.

In short, the results obtained—which are in the high range of potential recoveries and in some instances may exceed what could be achieved at trial—weigh strongly in favor of the requested fee.

(9) *Awards in Similar Cases*

The requested fee is in line with—if not substantially lower than—awards in other class actions that have resulted in similarly impressive settlements. Even if the fee is based only on the cash fund, ignoring all other monetary and non-monetary benefits, the 20.36% that the requested fee represents is below the 25% benchmark recognized in *Camden I* and substantially less than has been awarded in similar cases, including specifically other data breach cases. *See, e.g., In re Arby's Rest. Grp., Inc. Data Sec. Litig.*, [2019 WL 2720818](#), at \*4 (N.D. Ga. June 6, 2019) (awarding a fee of approximately 30% and noting that “[a]wards of up to 33% of the common fund are not uncommon in the Eleventh Circuit, and especially in cases where Class Counsel assumed substantial risk by taking complex cases on a

contingency basis.”); *Home Depot*, 2016 WL 11299474, at \*2 (awarding a fee in the consumer track of “about 28% of the monetary benefit conferred on the Class.”); *Home Depot*, No. 1:14-MD-02583-TWT (Doc. 345 at 4) (using one-third of the benefit in percentage-based calculation in the financial institution track); *Target*, 2015 WL 7253765, at \*3, *rev’d and remanded on other grounds*, 847 F.3d 608 (awarding 29% of the monetary payout).

Empirical studies also show that fees in other class action settlements are substantially higher than the requested fee. *See, e.g.*, Theodore Eisenberg, Geoffrey Miller & Roy Germano, *Attorneys’ Fees in Class Actions: 2009–2013*, 92 N.Y.U. L. Rev. 937, 947, 951 (2017) (finding that in the Eleventh Circuit the average fee was 30% and median fee was 33% from 2009 through 2013); Brian T. Fitzpatrick, *An Empirical Study of Class Action Settlements and Their Fee Awards*, 7 J. Empirical Legal Stud. 811, 836 (2010) (finding, in the Eleventh Circuit for 2006–2007 period of the study, the average fee was 28.1% and the median fee was 30%).

#### (10) *The Number of Objections*

Only 38 of the 147 million class members objected to the requested fee. This number represents 0.000026 percent of the class or just 1 of every 3.9 million class members. The extremely small number of objectors is further evidence of the reasonableness of the requested fee. *See, e.g.*, *Home Depot*, 2016 WL 6902351, at \*4 (objections from an “infinitesimal percentage” of the class “indicates strong

support” for the settlement).

(11) *The Risk Undertaken by Class Counsel*

The plaintiffs’ lawyers undertook extraordinary litigation risk in pursuing this case and investing as much time and effort as they did. The Court is familiar with data breach litigation and appreciates that this was undeniably a risky case when it was filed. It is even riskier today, as demonstrated by recent authority. *See, e.g., McConnell*, 828 S.E.2d at 352 (Ga. 2019); *Adkins v. Facebook*, 2019 WL 7212315, at \*9 (N.D. Cal. Nov. 26, 2019) (granting motion to certify injunctive-only class but denying motion to certify damages class and issues class in data breach case).

Based on these factors, the Court finds the award of attorneys’ fees in the amount of \$77.5 million is appropriate under the percentage of the fund approach. The Court has considered and hereby overrules all of the objections to the requested fees as described below.

*First*, most of the objections to the motion for fees are conclusory, do not provide any legal support for why a lower fee should be awarded, or are based on a misunderstanding about the terms of the settlement. These objections can be summarily rejected. *See, e.g., In re Bear Stearns Cos., Inc. Sec., Derivative, & ERISA Litig.*, 909 F. Supp. 2d 259, 264 n.3 (S.D.N.Y. 2012).

*Second*, one objector, John Davis, argues that the fee must be calculated using the lodestar method because he disagrees with *Camden I* and claims that the case is

no longer good law in light of *Perdue v. Kenny A. ex rel. Winn*, 559 U.S. 542 (2010). (Doc. 879-1 at 8-10). This argument is frivolous. *Camden I* is binding precedent. And, *Perdue*, which construes a fee-shifting statute, does not apply in a common fund case such as this one. See *In re Home Depot, Inc. Customer Data Sec. Breach Litig.*, 931 F.3d 1065, 1084-85 (11th Cir. 2019).

*Third*, several class members do not object to the fee amount, but to its payment from the settlement fund. According to these objectors, the Court should punish Equifax by ordering the company to pay the fees separately. But this Court cannot order Equifax to pay more. See, e.g., *Howard v. McLucas*, 597 F. Supp. 1504, 1506 (M.D. Ga. 1984) (“[T]he court’s responsibility to approve or disapprove does *not* give this court the power to force the parties to agree to terms they oppose”) (emphasis in original). And, having created a common fund, class counsel are entitled to be paid from the fund.

*Fourth*, two other objections—one by Mikell West and the other by Frank and Watkins—contend that the fee should be no more than 10% of the class benefit because class counsel allegedly faced little risk, the case settled within two years, and awards in cases involving “megafund” settlements do not justify a higher percentage. As stated above, the Court disagrees with the assertion that plaintiffs had little risk. To the contrary, class counsel faced extraordinary risk, which the objectors unreasonably and erroneously discount. Further, penalizing class counsel for



achieving a settlement within two years would work against the interests of the class and undercut the judicial policy favoring early settlement. *See, e.g., Markos v. Wells Fargo Bank, N.A.*, [2017 WL 416425](#), at \*4 (N.D. Ga. Jan. 30, 2017); *In re Checking Acct. Overdraft Litig.*, [830 F. Supp. 2d at 1362](#).

Their argument that the requested fee is too large because this case involves a megafund settlement—often defined as a settlement in excess of \$100 million—also is unpersuasive. When all of the settlement benefits are properly included the value of the settlement is in the several billions of dollars, meaning the requested fee is less than the 10% that the two objectors contend is appropriate. In arguing otherwise, the objectors improperly discount all of the settlement benefits except the \$380.5 million fund, including specifically all of the settlement’s non-monetary benefits.<sup>51</sup> *See Poertner*, [618 F. App’x at 630](#) (rejecting an objection by Frank that the requested fee was too large because he improperly limited the monetary value of the settlement and disregarded the settlement’s substantial non-monetary benefits, which he

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<sup>51</sup> Under the percentage approach, “courts compensate class counsel for their work in extracting non-cash relief from the defendant in a variety of ways.” *In re Checking*, [2013 WL 11319244](#), at \*12. If the non-monetary relief can be reliably valued, courts can include such relief in the fund and award counsel a percentage of the total. *Id.*; *George*, [369 F. Supp. 3d at 1379-80](#); *see also Poertner*, [618 F. App’x at 628-29](#). If it cannot be reliably valued, such relief is a factor in selecting the right percentage. *See, e.g., Camden I*, [946 F.2d at 774-775](#). Accordingly, in this case, even if the non-monetary benefits to the class could not be valued with precision, those benefits—which are undeniably substantial—would certainly justify awarding class counsel 20.36% of the cash fund.

wrongly claimed were illusory).

Even if calculated only as a percentage of the \$380.5 million fund, the requested fee of 20.36% is justified notwithstanding the size of the settlement. Likewise, even if the Court considered only the \$310 million fund created under the parties' term sheet, a 25% fee would be justified. The Court is unaware of any *per se* rule that a reduced percentage must be used in a "megafund" case and declines to create one now. Additionally, other courts have criticized the use of a reduced percentage in such a case because, among other things, the practice undercuts a major purpose of the percentage approach in aligning the interests of the class and its lawyers in maximizing the recovery. Such a rule might also discourage early settlements, and it fails to appreciate the immense risk presented by large, complex cases. *See, e.g., In re Cendant Corp. Litig.*, 264 F.3d 201, 284 n.55 (3d Cir. 2001); *Allapattah*, 454 F. Supp. 2d at 1213; *In re Checking*, 830 F. Supp. 2d at 1367; *Syngenta*, 357 F. Supp. 3d at 1114.

Regardless, the objectors overemphasize the importance of the settlement's size. Under *Camden I*, this Court must base its award on an evaluation of all of the *Johnson* factors, not just the factor involving awards in other cases. The Court's evaluation of those factors in light of the particular facts and circumstances of this case, as discussed above, would support using a percentage higher than the 25% benchmark and certainly higher than the 20.36% requested here. Indeed, the lowest

fee awarded in the other data breach cases cited above was 27%. That class counsel are not requesting a much higher fee here akin to that awarded in other cases suggests that they have already accounted for the settlement's size by agreeing to accept a reduced percentage.

The objectors, furthermore, are simply wrong in asserting that no more than 10% is typically awarded in megafund cases.<sup>52</sup> In *Anthem*, which involved a \$115 million settlement fund, the court surveyed awards in other large settlements and concluded: “a percentage of 27% appears to be in line with the vast majority of megafund settlements.” *Anthem*, [2018 WL 3960068](#), at \*15. Further, none of the three authorities relied upon by the objectors justify the conclusion that no more than a 10% fee is appropriate here. The empirical study the objectors cite does not support that conclusion, according to Professor Geoffrey Miller, one of its co-authors.<sup>53</sup> To the contrary, the study's data set shows that, in cases with settlements between \$325 million and \$425 million (the range in which the cash portion of this case falls), the mean percentage was 19.7%—remarkably close to the percentage requested here.

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<sup>52</sup> Class counsel have cited at least 40 cases involving settlements in excess of \$100 million in which a fee of more than 25% has been awarded, including several such cases in this Circuit. *See, e.g., Allapattah Services, Inc. v. Exxon Corp.*, [454 F. Supp. 2d 1185](#) (S.D. Fla. 2006) (31.33% of a \$1.06 billion fund); *In re Checking Account Overdraft Litig.*, [830 F. Supp. 2d 1330](#) (S.D. Fla. 2011) (30% of a \$410 million fund); *In re Sunbeam*, [176 F. Supp. 2d 1323](#) (25% of a \$110 million fund).

<sup>53</sup> Theodore Eisenberg and Geoffrey Miller, *Attorneys' Fees and Expenses in Class Action Settlements: 1993-2008*, 7 *Journal of Empirical Legal Studies* 248 (2010).

(Doc. 900-3, ¶¶ 16-17). In *Carpenters Health & Welfare Fund v. The Coca-Cola Co.*, 587 F. Supp. 2d 1266 (N.D. Ga. 2008), the court awarded a 21% fee. And, in *In re Domestic Air*, 148 F.R.D. at 350-51, the court relied upon pre-1991 research, which conflicts with the findings of more recent studies.

*Fifth*, objectors West, Frank and Watkins argue that the \$70.5 million added to the settlement fund at the request of federal and state regulators did not result from class counsel's efforts and thus class counsel are not entitled to receive a percentage of the additional amount. This argument fails as a factual matter because it assigns no credit to class counsel's efforts and their agreement to integrate the additional money into the settlement they negotiated. While regulators may have been the initial catalyst for the extra funds, the money would not have been added to the settlement fund but for class counsel's efforts. Class counsel spent months negotiating with Equifax on the proposed changes so that the additional funds could be incorporated without having any potential adverse impact to the class.

Thus, without minimizing the role played by the regulators, class counsel were ultimately responsible for integrating the increased funds into the settlement they negotiated and are entitled to compensation for their efforts. The Court also notes that class counsel have not sought any increased fees relative to what they agreed to request in the term sheet, so they are not attempting to use the extra money as a basis for an additional fee request. Basing the percentage off the \$380.5 million rather

than \$310 million simply recognizes the reality of the size of the non-reversionary fund to which the parties ultimately agreed. Treating the calculation differently would penalize class counsel after they spent thousands of hours in the negotiations with Equifax and regulators to integrate the \$70.5 million into the settlement without adverse consequences for the class.

*Sixth*, objectors Frank and Watkins argue that the notice and administration costs to be paid out of the settlement fund should be excluded from the class benefit for fee purposes. The Court disagrees. It has long been the practice in this Court to use the gross amount of a common fund in calculating a percentage-based fee award without deducting the costs of notice or administration. *See, e.g., George*, 369 F. Supp. 3d at 1375; *Champs Sports*, 275 F. Supp. 3d at 1356; *In re Domestic Air*, 148 F.R.D. at 354; *see also Arby's*, 2019 WL 2720818, at \*2 (including notice and administration claims in the class benefit even though paid separately by the defendant). That is because notice and administration costs inure to the benefit of the class. *Id.* Similar arguments have been rejected before. *See, e.g., In re Domestic Air*, 148 F.R.D. at 354; *In re Online DVD-Rental Antitrust Litig.*, 779 F.3d 934, 953 (9th Cir. 2015); *Caliguiri v. Symantec Corp.*, 855 F.3d 860, 865 (8th Cir. 2017); *Anthem*, 2018 WL 3960068, at \*8-9.<sup>54</sup> And, there is a particularly good reason for

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<sup>54</sup> The main case on which Frank and Watkins rely, *Redman v. RadioShack Corp.*, 768 F.3d 622, 630 (7th Cir. 2014), is readily distinguishable. *Redman* involved a

rejecting the argument here. Because an additional \$125 million is available to pay out-of-pocket claims, notice and administration costs will not diminish the fund except in the unlikely event that both the fund and the extra \$125 million are exhausted.

*Seventh*, objectors West, Frank and Watkins improperly discount the value of the credit monitoring offered under the settlement for purposes of calculating a fee. West does not recognize it has any value beyond the cost to be paid from the fund for the first seven million claims. Frank and Watkins argue it is not even worth that, asserting its true value is only \$15 million (\$5 per class member multiplied by the roughly three million claims they assert have been made to date) because free credit monitoring is widely available and class members allegedly prefer alternative compensation. The objectors also discount the value of the injunctive relief class counsel obtained. The Court disagrees.

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coupon settlement, the proposed fee could be justified only by including notice and administration in the class benefit, and the court was concerned that class counsel thus would have a “perverse” incentive to increase those costs to justify a larger fee. This settlement does not include coupons, costs will be paid from a non-reversionary fund, there is an additional \$125 million to pay out-of-pocket claims if the fund is exhausted, and class counsel selected the providers after a competitive bidding process. Moreover, adopting the *Redman* approach on these facts would incentivize counsel to cut corners on notice and administration, hurting the class by lowering its awareness and participation and hindering the claims process. Unsurprisingly, other courts have declined to follow *Redman*. See, e.g., *Keil v. Lopez*, 862 F.3d 685, 704 (8th Cir. 2017); *McDonough v. ToysRUs, Inc.*, 80 F. Supp. 3d 626, 654 n.27 (E.D. Pa. 2015).

As discussed earlier, the record shows that the high-quality credit monitoring offered here is more valuable than the free or low-cost services typically available. Moreover, courts have often recognized the benefit of credit monitoring, use its retail cost as evidence of value, and consider that value in awarding fees. *See, e.g., Chakejian v. Equifax Info. Servs., LLC*, 275 F.R.D. 201, 218 (E.D. Pa. 2011) (overruling an objection that the settlement offered “worthless credit monitoring services that no one wants” and valuing the services at their retail price in awarding a fee); *In re TJX Companies Retail Sec. Breach Litig.*, 584 F. Supp. 2d 395, 409 (D. Mass. 2008) (the class-wide, \$177 million retail value of the credit monitoring was “a benchmark against which to measure the award of attorneys’ fees”); *Home Depot*, 2016 WL 6902351, at \*4; *Hutton v. Nat’l. Bd. of Exam’rs in Optometry, Inc.*, 2019 WL 3183651, at \*7 (D. Md. Jul. 15, 2019); *Hillis v. Equifax Consumer Servs., Inc.*, 2007 WL 1953464, at \*4 (N.D. Ga. June 12, 2007); *Anthem*, 2018 WL 3960068, at \*11.<sup>55</sup>

The Court also disagrees with the objectors’ contention that there is no value

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<sup>55</sup> Even assuming that the credit monitoring offered is worth less to class members than its retail price, the credit monitoring is certainly worth more than its discounted, wholesale cost to Equifax. *See Anthem*, 2018 WL 3960068, at \*7. And even valued at that cost, the credit monitoring available to the entire class under the settlement would far exceed what the objectors claim it is worth. Indeed, that cost alone (several billion dollars at a minimum) would more than justify the requested fee. *See generally Waters*, 190 F.3d at 1297 (class counsel are entitled to a reasonable fee based on the funds potentially available to be claimed, regardless of the amount actually claimed); *see also Poertner*, 618 F. App’x at 629-30, n.2.



for fee purposes in the comprehensive injunctive relief provided under the settlement, including the requirement that Equifax spend a minimum of \$1 billion on data security and related technology. Courts routinely consider the presence of similar business practice changes to be a factor in the fee analysis. *See, e.g., Anthem*, [2018 WL 3960068](#), at \*28 (mandatory minimum expenditure for cybersecurity was “properly considered in determining an appropriate attorneys’ fees award”); *Ingram*, [200 F.R.D. at 689-90](#) (programmatic changes to reduce racial discrimination supported an upward adjustment from the benchmark); *see generally Home Depot*, [2016 WL 6902351](#), at \*4 (two years of enhanced cybersecurity measures was a valuable class benefit).

The Court specifically finds that the injunctive relief class counsel obtained here is a valuable benefit to the class because it reduces the risk that their personal data will be compromised in a future breach. That Equifax may also benefit makes no difference. Similarly, that Equifax agreed to the injunctive relief to avoid litigation risk does not mean class counsel have no entitlement to a fee; rather, Equifax’s motivation is what triggers class counsel’s entitlement. *See Poertner*, [618 F. App’x at 629](#) (rejecting a similar objection by Frank and holding that the defendant’s business practice changes were a settlement benefit because the changes were “motivated by the present litigation”).

In short, the requested fee is well-justified under the percentage method, and



the objections to the fee are overruled.

**B. A Lodestar Cross-Check, If Done, Supports The Requested Fee.**

The Eleventh Circuit has authorized courts to use the lodestar method as a cross-check on the reasonableness of a percentage-based fee, but such a cross-check is not required. *See, e.g., Waters*, [190 F. 3d at 1298](#). In fact, a cross-check can re-introduce the same undesirable incentives the percentage method is meant to avoid and for that reason courts regularly award fees without discussing lodestar at all. *In re Checking*, [830 F. Supp. 2d at 1362](#); *Champs Sports*, [275 F. Supp. 3d at 1350](#).

In this case, the Court does not believe that a lodestar cross-check is necessary or even beneficial. Nonetheless, the requested fee easily passes muster if a cross-check is done.

As of December 17, 2019, plaintiffs' counsel spent 33,590.7 hours on this litigation. Class counsel documented the time expended in detailed records filed *in camera* with the Court, and they personally reviewed more than 21,000 time entries and excluded 3,272.9 hours as duplicative, unauthorized, of insufficient benefit, or inconsistent with the billing protocol that they established at the outset of the litigation. Plaintiffs' counsel's lodestar up to the final approval hearing, including the reviewed time, amounts to \$22,816,935. In addition to time spent through final approval, class counsel estimate they will spend 10,000 hours over the next seven years to implement and administer the settlement. This time has an expected value

of \$6,767,200. The Court finds that this estimate is reasonable. Class counsel's current and future lodestar thus totals \$29,584,135.

When the lodestar approach is used in common fund cases, courts typically apply a multiplier to reward counsel for their risk, the contingent nature of the fee, and the result obtained. Here, the requested fee represents class counsel's lodestar (including future time) plus a multiplier of roughly 2.62, which is consistent with multipliers approved in other cases. *See, e.g., Columbus Drywall*, 2012 WL 12540344, at \*5 & n.4 (noting a multiplier of 4 times the lodestar is "well within" the accepted range and citing examples); *Ingram*, 200 F.R.D. at 696 (noting courts apply multipliers ranging from less than two to more than five); *Pinto v. Princess Cruise Lines Ltd.*, 513 F. Supp. 2d 1334, 1344 (S.D. Fla. 2007) (multipliers "'in large and complicated class actions' range from 2.26 to 4.5, while three appears to be the average") (internal quotations omitted).

No objector argues that a lodestar cross-check is mandated, or even explains why this case warrants a cross-check given the reasonableness of the percentage fee being sought. Several objectors, however, dispute various aspects of the cross-check analysis. None of these objections have any merit.

One objector contends hourly rates should be capped at \$500 because most ordinary people earn minimum wage or less than \$20 an hour. The proper comparison, though, is to the prevailing rates in the legal community. By that

standard, class counsel's rates are reasonable. Class counsel supplied substantial evidence that the prevailing rates for complex litigation in Atlanta and around the country are commensurate with or even in excess of the rates applied here and none of the objectors have presented any evidence to the contrary. The Court therefore finds class counsel's rates are reasonable and well supported, including specifically the hourly rates charged by Mr. Barnes (\$1050); Mr. Canfield (\$1000); Ms. Keller (\$750), and Mr. Siegel (\$935).

Several objectors challenge class counsel's time, claiming it is inflated and duplicative, and demand that the Court closely examine the time records and order them to be produced for review by the class. A lodestar cross-check, however, does not require that time records be scrutinized or even reviewed. *See, e.g., Goldberger v. Integrated Res., Inc.*, 209 F.3d 43, 50 (2d Cir. 2000) ("[U]sed as a mere cross-check, the hours documented by counsel need not be exhaustively scrutinized by the district court. Instead, the reasonableness of the claimed lodestar can be tested by the court's familiarity with the case.") (internal citations omitted); *In re Checking*, 2013 WL 11319244, at \*14 (declining to review billing records). Nevertheless, based on its *in camera* review of a sampling of class counsel's records, its familiarity with the litigation, class counsel's declarations regarding their line-by-line review of all entries to remove duplicative and unnecessary time, and other factors, the Court finds that class counsel's time was reasonable and appropriately spent. The Court

also finds that ordering the records be made public would needlessly require the voluminous records to be reviewed and redacted for privileged and confidential material and serve no useful purpose, particularly given the fact that a lodestar cross-check is not required and litigation over specific time entries would be a waste of resources for both the Court and the parties.

One objector claims that estimated future time cannot be considered. Yet, other courts have included future time in lodestar calculations, including this Court in the financial institutions track of the *Home Depot* data breach case. *See Home Depot*, [2017 WL 9605207](#), \*1 (N.D. Ga. Oct. 11, 2017), *aff'd in part and rev'd in part on other grounds*, [931 F.3d 1065, 1082](#) (11th Cir. 2019). Using a reasonable estimate also is appropriate. A cross-check is not intended to involve “mathematical precision.” *In re Rite Aid Corp. Sec. Litig.*, [396 F.3d 294, 306](#) (3d Cir. 2005). And, if the fee was lodestar-based, class counsel would be entitled to file supplemental applications for future time. *See Cassese v. Washington Mut., Inc.*, [27 F. Supp. 3d 335, 339](#) (E.D.N.Y. 2014). Excluding such time thus would misapply the lodestar methodology and needlessly penalize class counsel.

Finally, several objectors argue the proposed multiplier is too high and one claims *Perdue* bars the use of any multiplier. But class counsel have demonstrated that the multiplier is reasonable and within the typical range, and *Perdue* is irrelevant in a common fund fee analysis. *See Home Depot*, [931 F.3d at 1084-85](#).

In sum, a lodestar analysis is not required, but a consideration of the lodestar here only confirms that the requested fee is reasonable.

**C. Reimbursement Of Class Counsel's Expenses.**

The settlement agreement authorizes reimbursement of up to \$3 million in expenses that class counsel reasonably incurred on behalf of the class. Class counsel have incurred \$1,404,855.35 in expenses through December 17, 2019, for such items as court reporter fees; document and database reproduction and analysis; e-discovery costs; expert witness fees; travel for meetings and hearings; paying the mediator; and other customary expenditures. The Court finds that these expenses are reasonable and were necessarily incurred on behalf of the class. Class counsel are thus entitled to be reimbursed for these expenses. *See, e.g., Columbus Drywall*, [2012 WL 12540344](#), at \*7-8.

Two objectors challenge class counsel's expenses. One says the total is simply "too much." The other speculates that some computerized research charges might be overbilled and complains that the "miscellaneous" expense category is not further itemized. Such vague assertions and speculation do not overcome the substantial evidence in the record that all of the expenses were reasonable. Moreover, the expenses are detailed in class counsel's *in camera* submissions to the Court.

**D. The Service Awards Are Appropriate.**

Courts routinely approve service awards to compensate class representatives

for the services they provide and the risks they incur on behalf of the class. *See, e.g., Ingram*, 200 F.R.D. at 695-96; *Allapattah Servs.*, 454 F. Supp. 2d at 1218; *In re Checking*, 2014 WL 11370115, at \*12-13. The settlement agreement provides for a modest service award of \$2,500 to each class representative, who devoted substantial time and effort to this litigation working with their lawyers to prosecute the claims, assembling the evidence supporting their claims, and responding to discovery requests. Simply put, the class representatives were instrumental in achieving a settlement benefitting the entire class. But for their efforts, other class members would be receiving nothing. The Court therefore finds that the service awards are deserved and approves them for payment.

Objector Davis contends the longstanding practice of compensating class representatives for their service is prohibited by two Supreme Court cases from the 1800s. The argument previously has been rejected out of hand because the cases were decided before Rule 23 and involve different facts and circumstances. *See, e.g., Merlito v. Experian Mktg. Sols., Inc.*, 923 F.3d 85, 96 (2d Cir. 2019). Davis also suggests that each class member be required to document the specific amount of time spent on the litigation, but he provides no basis to believe the class representatives did not perform the services described and the amount of time needed for such tasks is necessarily substantial. Further evidence of the class representatives' service thus is unnecessary, particularly given the modest sums involved. *See, e.g., Home Depot*,

2016 WL 11299474, at \*1 (N.D. Ga. Aug. 23, 2016) (awarding modest service awards to 88 class representatives based on a similar description of their service by their counsel).

## V. FINDINGS REGARDING SERIAL OBJECTORS.

“Objectors can play a useful role in the court’s evaluation of the proposed settlement terms. They might, however, have interests and motivations vastly different from other attorneys and parties.” *Manual* § 21.643. The *Manual* goes on to explain:

Some objections, however, are made for improper purposes, and benefit only the objectors and their attorneys (*e.g.*, by seeking additional compensation to withdraw even ill-founded objections). An objection, even of little merit, can be costly and significantly delay implementation of a class settlement. Even a weak objection may have more influence than its merits justify in light of the inherent difficulties that surround review and approval of a class settlement. Objections may be motivated by self-interest rather than a desire to win significant improvements in the class settlement. A challenge for the judge is to distinguish between meritorious objections and those advanced for improper purposes.

*Manual* § 21.643.

The *Manual*’s guidance has been instructive in evaluating the objections received in this case. To be clear, the Court has considered in full the merits of all objections, regardless of whether the objector is a repeat player, and found them to be without merit. “The fact that the objections are asserted by a serial or ‘professional’ objector, however, may be relevant in determining the weight to

accord the objection, as an objection carries more credibility if asserted to benefit the class and not merely to enrich the objector or her attorney.” *In re Syngenta AG MIR 162 Corn Litig.*, 357 F. Supp. 3d 1094, 1104 (D. Kan. 2018) (referring, in part, to objectors and objectors’ counsel here George Cochran and Christopher Bandas). There is sufficient evidence to conclude that certain objectors here are of the “serial” variety.

This Court therefore finds, based on information in the record and otherwise publicly available, that the individuals identified below are serial objectors, that they have unsuccessfully asserted many of the same or similar objections in other class action settlements, that their objections are not in the best interests of the class, that there is no substantial likelihood their objections will be successful on appeal, and that the class would be best served by final resolution of their objections as soon as practicable so that class members can begin to benefit from the settlement:

- Objector George Cochran, an attorney who objects on his own behalf, “is a serial objector to class action settlements, with a history of attempting to extract payment for the withdrawal of objections.” *Syngenta*, 357 F. Supp. 3d at 1104.
- Christopher Bandas, an attorney who represents objector Mikell West, is recognized by federal courts across the country as a “serial objector” who “routinely represents objectors purporting to challenge class action



settlements, and does not do so to effectuate changes to settlements, but does so for his own personal financial gain; he has been excoriated by Courts for this conduct.” *CRT*, 281 F.R.D. at 533; *see also, e.g., Clark v. Gannett Co.*, 122 N.E. 3d 376, 380 (Ill. Ct. App. 2018) (Bandas has “earn[ed] condemnation for [his] antics from courts around the country. Yet, [his] obstructionism continues.”). Moreover, Bandas and his law firm are subject to a permanent injunction issued by a federal judge governing their ability to object in class actions. *Edelson P.C. v. The Bandas Law Firm*, 2019 WL 272812 (N.D. Ill. Jan. 17, 2019).

- Objector Christopher Andrews, although not an attorney, by his own admission at the final approval hearing has filed objections in about ten class actions. In *Shane v. Blue Cross*, No. 10-cv-14360 (E.D. Mich.), the court found that “many of [Mr. Andrews’] submissions are not warranted by the law and facts of the case, were not filed in good faith and were filed to harass Class Counsel.” App. 1, ¶ 65 & Ex. 7. That court also noted that Mr. Andrews “is known to be a ‘professional objector who has extorted additional fees from counsel in other cases[.]’” *Id.* Additionally, class counsel have submitted an email from Mr. Andrews that calls into question his motivation for objecting in this case. [Doc. 900-1, Ex. 8].

- Objector Troy Scheffler has previously objected to a number of class actions and at least one court has previously found that similar objections to the ones he makes here “have no factual or legal merit.” *Carter*, [2016 WL 3982489](#), at \*13. He also has been paid to withdraw an objection in a similar case. *In re Experian Data Breach Litig.*, No. 15-cv-01592, [Doc. 335](#) (C.D. Cal. July 3, 2019) (approving payment of \$10,000 to Mr. Scheffler and his counsel to drop objection).
- John Davis has a history of objecting in class actions and his involvement as an objector and class representative has been criticized by other courts. In *Muransky v. Godiva Chocolatier*, [2016 WL 11601079](#), at \*3 (S.D. Fla. Sept. 16, 2016), a federal magistrate judge denied an objection similar to the one filed here by Mr. Davis and, in so doing, labeled Davis and others as “professional objectors who threaten to delay resolution of class action cases unless they receive extra compensation.” *See also Davis v. Apple Computer, Inc.*, [2005 WL 1926621](#), at \*2 (Cal. Ct. App. Aug. 12, 2005) (noting that Davis and Steven Helfand, another serial objector who objected here, previously had “confidentially settled or attempted to confidentially settle putative class actions in return for payment of fees and other consideration directly to them” in apparent violation of court rules.)

- Steven Helfand has a history of improper conduct in class action litigation. *Id.* In 2018, he was accused by the State Bar of California of, among other things, filing an objection in the name of a class member without being authorized by the class member to do so, misleading a court and opposing counsel, settling an objection on appeal without the client's authorization, misappropriating the settlement proceeds, and other acts of moral turpitude. Notice of Disciplinary Charges, *In the Matter of Steven Franklyn Helfand*, Case No. 17-O-00411 and 17-O-00412 (State Bar Court of California; filed Sept. 24, 2018). Helfand did not contest the charges and a default was entered against him. *Id.*, Order Entering Default (Jan. 15, 2019).
- Theodore Frank, a lawyer and director of the Hamilton Lincoln Law Institute, is in the business of objecting to class action settlements and has previously and unsuccessfully made some of the same or similar objections that he has made here. *See Target*, [2017 WL 2178306](#), at \*6 (rejecting objection that an allegedly fundamental intra-class conflict existed in a data breach case because class members could assert claims under various state statutes); *Poertner*, [618 F. Appx at 628-29](#) (rejecting objection that the proposed fee was unfair, finding Frank had improperly limited the monetary benefits to the class and excluded the substantial non-monetary benefits of the settlement). The Court also finds that Frank disseminated false and misleading information

about this settlement in an effort to encourage others to object in this case and directed class members to object using the “chat-bot” created by Class Action Inc., notwithstanding that it contained false and misleading information about the settlement. These actions are improper and further support a finding that Frank’s objection is not motivated to serve the interests of the class. *See Manual* § 21.33 (“Objectors to a class settlement or their attorneys may not communicate misleading or inaccurate statements to class members about the terms of a settlement to induce them to file objections or to opt out.”).

Finally, the Court addresses the 718 “chat-bot” generated forms submitted by Class Action Inc. on which class members simply checked one or more of several boxes indicating that the settlement was “unfair,” “inadequate,” “unreasonable,” or “unduly burdensome” and had the opportunity to add a “personal note” to the Court. The Court has considered the substance of these objections (which are repeats of objections addressed above) and rejects them in their entirety. Separately, the Court rejects these objections as procedurally defective. The objections were not submitted through the process ordered by the Court and do not comply with the requirement under Rule 23 that an objection “state whether it applies only to the objector, to a specific subset of the class, or to the entire class and also state with specificity the grounds for the objection.” *See* Fed. R. Civ. P. 23(e)(5)(A).

Moreover, class counsel submitted information that Class Action Inc. failed to accurately describe the settlement both on its website and in promotions of the chat-bot elsewhere, which may have prompted users of the site to object based on inaccurate and incomplete information about the benefits available under the settlement. The Court notes that class counsel subpoenaed Reuben Metcalfe, the CEO of Class Action Inc., for a deposition, but Mr. Metcalfe failed to appear. The Court also notes that Mr. Metcalfe represented to class counsel that he had not even read the settlement agreement or notice materials before falsely telling class members that the settlement provided only \$31 million to pay claims. [[Doc. 939-1](#), ¶ 36]. Therefore, based on the uncontested record, the Court accepts the facts as presented by class counsel on this point, and finds that Class Action Inc. and Mr. Metcalfe promoted false and misleading information regarding the terms of the settlement in an effort to deceptively generate objections to the settlement.

## **VI. THE COURT’S TREATMENT OF OTHER PENDING MATTERS.**

### **A. Motions To Strike Declarations Of Robert Klonoff, Geoffrey Miller And Harold Daniel.**

Several objectors moved to “strike” [Docs. 872, 890, 909, 918] the Declarations of Robert Klonoff [Docs. 858-2, 900-2], Geoffrey Miller [[Doc. 900-3](#)], and Harold Daniel [858-3] submitted by class counsel. Plaintiffs oppose these motions [Docs. 887, 932, 946]. While the Court has found the declarations helpful, as noted above, the Court has exercised its own independent judgment in resolving

the matters addressed in the declarations, rendering the challenges to the declarations moot. Regardless, the motions lack merit. All three of the proposed experts are well-qualified, *Daubert* does not govern at the final approval stage, and, even if it did, each of the declarations passes muster under *Daubert*.<sup>56</sup>

Professor Klonoff is a prominent law professor and teacher of civil procedure; former Assistant to the U.S. Solicitor General; the author of relevant academic publications and the leading casebooks on class actions and multi-district litigation; was the Associate Reporter for the American Law Institute's class action project; and was appointed by Chief Justice Roberts for two three-year terms as the sole academic member to the Advisory Committee on the Rules of Civil Procedure, a position in which he took the lead on the proposed amendments to Rule 23 that became effective on December 1, 2018. [[Doc. 858-2](#), ¶¶ 4-12]. Because of his expertise, other courts have specifically accepted and relied extensively upon Professor Klonoff's opinions regarding proposed attorneys' fee awards and other class action issues. *See, e.g., Syngenta*, [357 F. Supp. 3d at 1115](#); *In re AT&T Mobility*

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<sup>56</sup> Similar motions to strike at the final approval stage filed by Frank's organization have also been rejected in other pending class actions. *See Briseño v. Conagra Foods, Inc.*, No. 11-cv-05379-CJC-AGR, [Doc. 695](#) (C.D. Cal. Oct. 8, 2019); *In re Samsung Top-Load Washing Machine Marketing, Sales Practices and Prods. Liab. Litig.*, No. 17-md-2792-D, [Doc. 208](#) (W.D. Okla. Nov. 18, 2019). *See also Target*, [2015 WL 7253765](#), at \*4 ("even if the affidavit contained impermissible legal conclusions, the Court is capable of separating those conclusions from Magistrate Judge Boylan's helpful and insightful factual descriptions of the settlement process in this case.").

*Wireless Data Services Sales Tax Litig.*, 792 F. Supp. 2d 1028, 1032 n.3, 1034-35, 1037-38, 1040, 1042 (N.D. Ill. 2011); the *National Football League Players Concussion Injury* MDL; the *Chinese-Manufactured Drywall* MDL; and the *Deepwater Horizon* MDL. (See Doc. 858-2, ¶ 10) (listing cases).

Professor Miller is the co-author of several leading empirical studies of attorneys' fees in class action litigation and a frequent expert witness on issues relating to class actions and attorneys' fees. [Doc. 900-3, ¶ 1]. One objector cites to a study that he authored. [Doc. 880 at 12-15, Doc. 876 at 18-19]. Professor Miller is the Stuyvesant Comfort Professor of Law at NYU Law School, and a member of the advisory committee for the American Law Institute's Principles of the Law project on Aggregate Litigation, which, among other topics, addressed questions of attorneys' fees in class actions and related types of cases. [Doc. 900-3 ¶¶ 2-3]. His research articles on class action cases, especially in the area of attorneys' fees, have been cited as authority by many state and federal courts. [Doc. 900-3 ¶¶ 4-6].

Harold Daniel served as the President of the State Bar of Georgia and the Lawyers Club of Atlanta. [Doc. 858-3, ¶ 2]. He was a member Standing Committee of the Federal Judiciary of the American Bar Association. [*Id.*]. He also has been qualified and has served as an expert witness on the issue of attorneys' fees in numerous courts, including this Court. [*Id.*, ¶ 10].

At the final approval stage, the weight of authority from the circuits makes clear that district courts have discretion to use “whatever is necessary . . . in reaching an informed, just and reasoned decision.” *Mars Steel Corp. v. Cont’l Bank N.A.*, 880 F.2d 928, 938 (7th Cir. 1989). Final approval is not a trial on the merits, and the Court need not be a gatekeeper of evidence for itself. Further, the issues on which the experts opine are both relevant and inherently factual in nature, not disputed legal principles, and the declarations are helpful as to these matters. Moreover, the methodology the experts used—applying their expertise gained through years of experience to questions of fairness and reasonableness—is more than sufficient to satisfy Rule 702 and *Daubert*. See, e.g., *Kumho Tire Co., Ltd. v. Carmichael*, 526 U.S. 137, 152 (1999) (recognizing that a district court has “broad latitude” to allow an expert whose testimony is based on “professional studies or personal experience”); *Primrose Operating Co. v. Nat’l Am. Ins. Co.*, 382 F.3d 546, 561-63 (5th Cir. 2004) (affirming admission of testimony from a fee expert, stating the “fair and reasonable compensation for the professional services of a lawyer can certainly be ascertained by the opinion of members of the bar who have become familiar through experience and practice with the character of such services”); *Freed by Freed v. Merrill Lynch, Pierce, Fenner & Smith, Inc.*, 2005 WL 8156040, at \*2-3 (S.D. Fla. Aug. 2, 2005) (rejecting *Daubert* challenge to an expert who testified as to the reasonableness of an attorneys’ fee based on his experience as a litigator,



finding the methodology was reliable); *Yowell v. Seneca Specialty Ins. Co.*, 117 F. Supp. 3d 904, 910-11 (E.D. Tex. 2015) (declining to strike affidavit from fee expert because it satisfied *Daubert* requirements).

Finally, the Court again emphasizes that, with regard to all of the matters addressed in this Order it has performed its own independent legal research and analysis and made up its own mind. The pending motions to strike [Docs. 890, 909, 918] are therefore denied. The Court previously denied [Doc. 951] objector Shiyang Huang's motion to strike [Doc. 872].

**B. Oppositions To The Scope Of The Release By Proposed *Amicus Curiae* The State Of Indiana And The Commonwealth Of Massachusetts.**

The State of Indiana, through the Indiana Attorney General, submitted a self-styled *amicus curiae* brief, requesting that the Court modify the release in the settlement in several respects, purportedly to “safeguard its sovereign and exclusive authorities to enforce Indiana law.” [Doc. 898]. The Commonwealth of Massachusetts makes a similar request. [Doc. 923]. The gist of these requests is that the two states believe the release cannot be used as a bar to claims they are pursuing in separate enforcement actions against Equifax in Indiana and Massachusetts state courts. Indiana cites several cases in apparent support for its position that a class action “cannot impede a separate action by government actors acting in an enforcement capacity.” [Doc. 898, at 5]. Massachusetts says its claims were not and

could not have been asserted by any class plaintiffs in this case. The states' requests are denied for the following reasons.

First, the Court concludes that Indiana and Massachusetts lack standing to object to the settlement because they are not members of the settlement class. Second, nothing in the settlement prevents Indiana or Massachusetts from pursuing enforcement actions in state court, which they both already are doing. Third, the Court does not have the power to grant the primary relief the states seek, which is a modification of the settlement, *see Cotton*, 559 F.2d at 1331, and any suggestion by Indiana or Massachusetts that the Court reject the settlement altogether is not in the best interests of the 147 million class members. It would make no sense for this Court to reject this historic settlement—one that provides substantial relief to a nationwide class and is supported by the Federal Trade Commission, Consumer Financial Protection Bureau, and 50 other Attorneys General—and subject all class members to the risks of further litigation simply because two states seek the opportunity to obtain additional relief for their own residents.

To the extent they move for specific relief from this Court, request that the Court issue an advisory opinion, or request that the Court refuse to approve the settlement, the requests by Indiana [Doc. 898] and Massachusetts [Doc. 923] are hereby denied.

**C. Miscellaneous Pending Motions.**

The Court has carefully considered all timely filed objections. As a housekeeping matter, and for clarity of the record, the Court addresses several motions filed by objectors. The Court previously denied [[Doc. 851](#)] the Motion to Reject Settlement by Susan Judkins [[Doc. 824](#)], and the Motion to Reject Settlement by John Judkins [[Doc. 825](#)]. The Court also denied [[Doc. 853](#)] the Motion to Enforce Settlement by Lawrence Jacobson [[Doc. 837](#)], and Motion to Deny the Settlement by Beth Moscato [[Doc. 841](#)]. And the Court denied [[Doc. 873](#)] the Motion to Telephonically Appear at Fairness Hearing by Shiyang Huang [[Doc. 852](#)]. These motions were primarily further objections to the settlement couched as “motions” and, again, the Court has considered all timely filed objections. For similar reasons, the Court hereby denies the Motion for Court Order Setting Deadline to Pay Settlement Fee to Petitioning Parties by Peter J. LaBreck, Elizabeth M. Simons, Gregory A. Simons, Joshua D. Simons [[Doc. 789](#)]; the Motion to Remove Class Counsel, the Steering Committee, and Legal Administration, the Named Plaintiffs and Defense Counsel by Christopher Andrews [[Doc. 916](#)]; the Motion to Remove Class Counsel, the Steering Committee, and Legal Administration, the Named Plaintiffs and Defense Counsel for Misconduct by Christopher Andrews [[Doc. 917](#)]; the Motion to Strike Response to [Doc. 903](#) [[Doc. 935](#)]; the Motion to Strike Equifax’s Response to [Doc. 903](#) [[Doc. 936](#)]; and the Motion to Strike Plaintiffs’

Untimely Filings [[Doc. 949](#)]. Any other motions and requests for specific relief asserted by objectors are also denied.

For the reasons set forth herein, the Court hereby (1) **GRANTS** final approval of the settlement; (2) **CERTIFIES** the settlement class pursuant to [Federal Rules of Civil Procedure 23\(a\), \(b\)\(3\)](#) and (e); (3) **GRANTS** in full Plaintiffs' request for attorneys' fees of \$77.5 million, reimbursement of expenses of \$1,404,855.35, and service awards of \$2,500 each to the class representatives; and (4) otherwise rules as specified herein.

SO ORDERED, this 17 day of March, 2020.

/s/Thomas W. Thrash  
THOMAS W. THRASH, JR.  
United States District Judge

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

In re: Equifax Inc. Customer Data  
Security Breach Litigation

MDL Docket No. 2800  
No. 1:17-md-2800-TWT

CONSUMER ACTIONS

Chief Judge Thomas W. Thrash, Jr.

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**OBJECTOR MIKELL WEST'S AMENDED NOTICE OF APPEAL**

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Notice is hereby given that Class Member/Objector Mikell West hereby amends his Notice of Appeal ([Dkt. 982](#)) filed on February 11, 2020 currently docketed at the United States Court of Appeals for the Eleventh Circuit as Case No. 20-10249. In addition to the already pending appeal from the Court's Order Granting Final Approval of Settlement, Certifying Settlement Class, and Awarding Attorney's Fees, Expenses and Service Awards ([Dkt. 956](#)), Final Order and Judgment ([Dkt. 957](#)), and all opinions and orders that merge therein, Class Member/Objector Mikell West now also appeals from the Court's Amended Order Granting Final Approval of Settlement, Certifying Settlement Class, and Awarding Attorney's Fees, Expenses and Service Awards ([Dkt. 1029](#)) entered on March 17, 2020, and all orders and opinions that merge therein. Mr. West further appeals from any order or judgment naming or identifying Mr. West or the objection filed by him, and from any order imposing sanctions or requiring an appeal bond, including any order entered or signed subsequent to this notice of appeal.

Dated: March 31, 2020

Respectfully submitted,

/s/ Robert W. Clore

Robert W. Clore

*Pro Hac Vice*<sup>1</sup>

State Bar of Texas #24012436

Admitted to the United States District  
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*Attorneys for Objecting Class  
Member, Mikell West*

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<sup>1</sup> Dkt. 23 at 4.

**CERTIFICATE OF SERVICE**

The undersigned certifies that today he filed the foregoing document on ECF which will send electronic notification to all attorneys registered for ECF-filing.

DATED: March 31, 2020

/s/ Robert W. Clore  
Robert W. Clore



UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF GEORGIA  
2211 UNITED STATES COURTHOUSE  
75 TED TURNER DRIVE, SW  
ATLANTA, GEORGIA 30303-3361

JAMES N. HATTEN  
DISTRICT COURT EXECUTIVE  
AND CLERK OF COURT

DOCKETING SECTION  
404-215-1655

April 1, 2020

Clerk of Court  
U.S. Court of Appeals, Eleventh Circuit  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

**U.S.D.C. No.: 117-md-2800-TWT**

**U.S.C.A. No.: 00-00000-00**

**In re: IN RE: Equifax Inc., Customer Data Breach Litigation**

Enclosed are documents regarding an appeal in this matter. Please acknowledge receipt on the enclosed copy of this letter.

☒ **Certified copies of the Amended Notice of Appeal, Final Order and Judgment, Amended Order, and Docket Sheet appealed enclosed.**

☒ **This is not the first notice of appeal.**

There is no transcript.

☒ **The court reporters are Susan C. Baker, Wynette Blathers and Diane Peede.**

☒ There is sealed material.

Other: .

☒ **Fee paid electronically on 3/31/20; Receipt Number AGANDC-9541354.**

Appellant has been leave to file *in forma pauperis*.

This is a bankruptcy appeal. The Bankruptcy Judge is .

The Magistrate Judge is .

☒ **The District Judge is Thomas W. Thrash, Jr.**

This is a DEATH PENALTY appeal.

Sincerely,

James N. Hatten  
District Court Executive  
and Clerk of Court

By: Kimberly Carter  
Deputy Clerk

Enclosures